



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2245

Admission authority: Hampshire County Council for Tadley Community Primary School, Tadley.

Date of decision: 6 April 2022

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 Hampshire County Council for Tadley Community Primary School, Tadley for September 2022.

I determine that the published admission number (PAN) for admissions in September 2022 will be 30.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2022 for Tadley Community Primary School (the school) to the adjudicator. The school is a community school for children aged 4 to 11 in Tadley.
2. The proposed variation is to reduce the PAN from 45 to 30 for admission in September 2022.

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 deals with variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (in so far as relevant here):

“3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is

necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it must consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations”.

4. The local authority has provided me with confirmation that the appropriate bodies have been notified and that the governing board of the school has been consulted as required. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variation is within my jurisdiction.
5. In considering this variation proposal I have had regard to all relevant legislation, and the Code.
6. The information I have considered in reaching my decision includes;
 - a. a previous determination VAR2126 and VAR2127 published on 26 July 2021;
 - b. the referral from the local authority dated 23 March 2022 and supporting documents;
 - c. the determined arrangements for 2022 and the proposed variation to those arrangements;
 - d. comments on the proposed variation from the minutes of the school’s governing board meeting on 11 March 2022; and
 - e. information available on the websites of the local authority, the school and the Department for Education.

The proposed variation

7. The local authority has requested a reduction in PAN for admission in September 2022 from 45 to 30 to assist the school’s financial and resource planning.
8. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or 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 is a community school in Tadley in Hampshire. The local authority is the admission authority for the school. The admission arrangements for community schools for admission in September 2022 were determined by the local authority's executive committee on 24 February 2021.

10. The local authority submitted its first proposal for variation to these arrangements in April 2021, two months after the arrangements were determined.

11. In July 2021 the adjudicator approved a variation for a reduction in PAN from 45 to 30 for admission in September 2021 but did not approve a reduction for September 2022. This variation request at the time was refused because the adjudicator was concerned about the lack of consultation with parents and the absence of any clear prediction about numbers of applications to the school for admission in September 2022. At the time the forecast number for admission was 40 although the local authority reported to the adjudicator that 'when the numbers for 2021 are fed into the forecast model, the predicted 40 children in 2022 will fall significantly'. The adjudicator did not consider that this was sufficient evidence to justify a reduction of the PAN to 30 for September 2022 at that time.

12. The school is currently operating with an 11 class structure: one class in reception (YR), three mixed age classes in Y1 and Y2, three mixed age classes in Y3 and Y4 and two discrete classes in Y5 and Y6. With an agreed reduction in PAN to 30 for September 2022 the school can be organised into nine classes and this would, according to the local authority, protect the school from financial difficulties and enable them to plan their staffing with certainty.

13. The governing board met on 11 March 2022. The governors considered the implications of continuing to operate with the eleven class structure and were provided with the most up to date figures for applications for September 2022 (the closing date for such applications having been 15 January 2022). They were also provided with the area planning figures. Following discussion, they unanimously agreed to support the local authority's proposal to reduce the PAN to 30 for September 2022.

14. Up to date figures for applications show that 26 first preference applications have been received for September 2022. The Tadley planning area includes four other schools which admit to YR. For September 2022 there are 209 places available in the area and 161 first preference applications. There are therefore sufficient places in the area for all first preference applications if the PAN for this school is reduced to 30. Furthermore, with only 26 first preference applications for the school a reduction in PAN would not detrimentally affect parental preferences, taking into account that there may also be some second or lower preferences expressed by parents whose higher preferences cannot be met.

15. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Once the PAN has been set for a particular

year then no body, except the governing board of a community or voluntary controlled school, can object if that PAN remains the same in subsequent years. Clearly it is desirable that PAN reductions are made via the process of determination following consultation as the consultation process allows those with an interest to express their views. It also allows for objections to the adjudicator. None of this is afforded by the variation process. However, as the number to be admitted to the school is confidently expected to be lower than the proposed PAN it is, in my view sensible to reduce the PAN to 30 to facilitate the school's management of classes, resources and staffing.

16. The local authority has already determined the arrangements for admission in 2023 and have set the PAN at 30. This remains in place and is unaffected by this determination.

Summary

17. In order to support planning in resources, staffing and consequently budget, I agree that the PAN should be reduced from 45 to 30 for admission to YR for admission in September 2022.

Determination

18. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Tadley Community Primary School, Tadley for September 2022.

19. I determine that the published admission number (PAN) for admissions in September 2022 will be 30.

Dated: 6 April 2022

Signed:

Schools adjudicator: Ann Talboys