



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2238

Admission authority: Hampshire County Council for Leesland Church of England Infant School, Gosport

Date of decision: 29 April 2022

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 2022 determined by Hampshire County Council for Leesland Church of England Infant School, Gosport.

I determine that for September 2022 the published admission number will be reduced from 90 to 60.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2022 for Leesland Church of England Infant School (the school), to the Office of the Schools Adjudicator. The school is a voluntary controlled school for children aged five to seven.
2. The proposed variation is to reduce the published admission number (PAN) from 90 to 60.

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. 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.
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 16 March 2022, supporting documents and further information provided at my request;
 - b. information provided by the Diocese of Portsmouth and Winchester (the diocese);
 - c. information provided by the school in support of the request for a variation;
 - d. the determined arrangements for 2022 and the proposed variation to those arrangements;
 - e. a map showing the location of the school and other relevant schools; and
 - f. information available on the websites of the local authority and the Department for Education.

The proposed variation

7. The proposed variation is to reduce the PAN of the school from 90 to 60 for September 2022. The local authority said, “The reduction of the PAN to 60 will allow the school to operate a 7-class structure across the school. This will protect the school from financial difficulties and will enable them to plan their staffing with certainty for the next academic year.”
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 arrangements for the school for 2022/23 were determined by the local authority on 24 February 2021. The local authority's email dated 3 March 2022, providing notification of the proposed PAN reduction commented "Leesland Church of England Infant School currently has a PAN of 90, organised across a 8 class structure. The continued operation of an 8th class is presenting significant financial challenges for the school, and based on the actual pupil numbers at the school, current first preference data for September 2022 and the future growth projections for the catchment area, it is unlikely that a PAN of 90 will be filled."

10. The local authority has reduced the PAN at the school to 60 for admissions in 2023/24 following a statutory consultation which ran from 15 November 2021 to 31 December 2021. The arrangements for 2023/24 were determined by the local authority on 24 February 2022 and included the PAN of 60. Thus, my decision affects only admissions to reception year (YR) for 2022.

11. On National Offer Day (19 April 2022) the local authority informed parents about the outcome of applications to primary schools including infant schools. For this school 49 offers were made, which is below the proposed PAN of 60 that the local authority is seeking. The offers made were for all on-time first preference applications. As parents decide whether to accept the offers that have been made, there may still be some movement in the numbers due to start at the school in September 2022. If I determine that the PAN reduces to 60 for admission in 2022, I need to consider if there are sufficient places to meet demand across the planning area. The local authority has a duty to make sure that there are sufficient school places for the children in its area. In order to carry out this duty the local authority considers the availability of places and the need for places in planning areas which are geographical groups of schools. The school is in the Gosport South East planning area (the planning area) together with six other schools which admit children to YR.

12. The local authority provided me with information on admissions to YR for the schools in the planning area in recent years and this is shown in Table 1 below.

Table 1: Admissions and potential admissions to schools in the planning area

	2019	2020	2021	2022
Sum of the PANs for the schools in the planning area	330	330	330	320
Number of children admitted (first preference applications for 2022)	297	272	270	245
Number of vacant places or potential vacant places	33	58	60	75
Number of vacant places as a percentage	10%	18%	18%	23%

13. The local authority told me how the school was organised in September 2021 when 69 offers were made against a PAN of 90 which meant that "the school is currently organised with a 8-class structure, that includes 2 discrete year R classes, one mixed year R/1 class, 2 discrete year 1 classes and 3 discrete year 2 classes."

14. The school sent me helpful information in Table 2 about how the classes are currently arranged and how, over time, the number of classes could be reduced to enable the school to live within its budget. The budget is currently running an in-year deficit as school budgets are weighted mainly on pupil numbers and there are surplus places across the school.

Table 2: Number on roll (NOR) and the arrangement of classes if the variation is agreed

Leesland C of E Infant school NOR and Classes if variation agreed					
	2021/22	2022/23	2023/24	2024/25	2025/26
Year R	68	46	60	60	60
Year 1	63	68	46	60	60
Year 2	77	63	68	46	60
Total NOR	208	177	174	166	180
Classes	8	7	7	6	6
Equivalent classes (30)	6 +28	5 + 27	5 +24	5 + 16	6

15. Although 49 offers have been made instead of the 46 predicted by the school, even with a PAN of 60 there would still be spare places available should a family move into the area and make a late application or apply later in the school year. The ability to move from eight to seven classes would enable the school to move to a more sustainable budget. All first preference applications have been offered places and there are spare places in other local schools. For these reasons I approve this request to vary the admission arrangements for September 2022 and reduce the PAN from 90 to 60.

Determination

16. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed reduction in the published admission number for 2022 determined by Hampshire County Council for Leesland Church of England Infant School, Gosport.

17. I determine that for September 2022 the published admission number will be reduced from 90 to 60.

Dated: 29 April 2022

Signed:

Schools adjudicator: Lorraine Chapman