



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2258

Admission authority: Hampshire County Council for Tavistock Infant School, Fleet

Date of decision: 10 June 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 September 2022 determined by Hampshire County Council for Tavistock Infant School, Fleet.

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 (the arrangements) for Tavistock Infant School (the school) to the adjudicator. The school is a community school for children aged four to seven in Fleet.
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 that the school’s governing board 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. In considering this matter I have had regard to all relevant legislation, and the Code.

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

- a. the referral from the local authority dated 13 May 2022, supporting documents and further information provided at my request;
- b. the determined arrangements for 2022 and the proposed variation to those arrangements;
- c. confirmation that the governing board has been consulted and supports the proposed variation;
- d. a map showing the location of the school and other relevant schools; and
- e. information available on the websites of the local authority and the Department for Education.

The proposed variation

6. The proposed variation is to reduce the PAN of the school from 90 to 60 for September 2022. 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 May 2022, providing notification of the proposed PAN reduction commented “Tavistock Infant School currently has a PAN of 90, organised across a 9-class structure. The continued operation of a 9th class is presenting significant financial challenges for the school and based on the actual pupil numbers at the school, current offer data for September 2022 and the future growth projections for the catchment area, it is unlikely that a PAN of 90 will be filled. The recommendation is to reduce the School’s PAN to 60 for 2022/23.”

7. 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

8. Before I consider the proposed variation, I should note that the local authority has determined the 2023/24 arrangements, including the PAN, for the school on 28 February 2022. The PAN will be 60. As the arrangements have already been determined, my decision on this application will not affect the PAN that has already been determined for 2023; my determination affects only admissions to the Reception Year (YR) for 2022.

9. The local authority offered 62 places on National Offer Day (19 April 2022) and said, “The reduction of the PAN to 60 will allow the school to operate an 8-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.”

10. 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 Fleet/Crookham planning area (the planning area) which consists of eight schools which admit to YR and four junior schools.

11. The local authority provided me with information about the number of places in the planning area, the number of children admitted in the last three years, the numbers of offers made in 2022 and the forecast for 2023. It told me, “For the September 2022 admissions round the school offered 62 places for Year R children on the national notification day. The planning area of Fleet/Crookham made a total of 504 offers, however there are 600 places available within that planning area currently. Based on these figures, there are sufficient places to accommodate the demand in the area.”

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

	2019	2020	2021	2022	2023
Sum of the PANs for schools in the planning area	600	600	590	590	560
Number of children admitted (forecast for 2023)	592	563	544	504	490
Number of vacant places or potential vacant places	8	37	46	86	70
Number of vacant places as a percentage	1%	6%	8%	15%	13%

12. The governing board supports the proposed PAN reduction and is familiar with the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) which require that infant classes (those where the majority of children will reach the age of five, six or seven during the school year) must not contain

more than 30 pupils with a single qualified school teacher except in specific exceptional circumstances. As 62 places have been offered, the school would have to consider how best to manage that number if all places are accepted and there are no further applications later in the school year. In its application to reduce the PAN, the local authority has provided the following comment:

“The school and the local authority are proposing that any applications made naming the school will be honoured and offers made until the OSA has reached a decision on whether to vary the PAN for September 2022. The school will then aim to work down to the PAN by not offering out spaces to children until their numbers on roll are lower than 60. In this way, parental preference will not be frustrated.”

13. With a PAN of 90, it is clear that numbers at the school have declined over the last few years: 83 children admitted in 2019; 78 in 2020; 67 in 2021 and now 62 offers made for 2022. The school has managed those numbers over the last three years by operating three classes per year group resulting in a nine-class structure which is not financially viable without the pupil numbers to support it. Schools are largely funded by the number of children and one of the highest costs is staffing.

14. The continued drop in pupil numbers has meant financial difficulties for the school but the reduction in PAN to 60 will enable them to plan their staffing with more certainty. I am also assured that there are sufficient vacant places in the planning area if there are further requests for places. I find that the variation is justified by the circumstances and approve the proposed variation.

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 2022 determined by Hampshire County Council for Tavistock Infant School, Fleet.

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

Dated: 10 June 2022

Signed:

Schools adjudicator: Lorraine Chapman