



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2265

**Admission authority:** Warwickshire County Council for Long Lawford Primary School, Rugby

**Date of decision:** 8 August 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 2023 determined by Warwickshire County Council for Long Lawford Primary School, Rugby.

I determine that for September 2023 the published admission number will be reduced from 90 to 60.

## The referral

1. Warwickshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2023 (the arrangements) for Long Lawford Primary School (the school) to the adjudicator. The school is a community school for children aged three to eleven in Long Lawford, Rugby.
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 1 July 2022, supporting documents and further information provided at my request;
- b. the determined arrangements for 2023 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 2023. The arrangements for the school for 2023/24 were determined by the local authority on 17 February 2022. The local authority’s email, dated 28 June 2022, providing notification to the relevant bodies of the proposed PAN reduction, commented:

“The reason for the proposal is the forecast admittance of pupils significantly below current PAN. This change seeks to assist the school governing bodies to plan for long-term stability, a consistent structure and a sustainable financial position, providing a secure foundation for high quality educational outcomes for all pupils.”

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. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. 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 which makes it particularly important that proposed variations are properly scrutinised, and I have accordingly given careful consideration to the data to try to ascertain if there will be sufficient school places in the local area if the PAN is reduced from 90 to 60 for September 2023. I have also considered the demand for places at the school, the reasons given for the change, the potential effect on parental preference and whether the change is justified in these circumstances.

9. The local authority received one response to the notification querying whether, given the pressure on some schools in the Rugby area, it could afford to reduce places. The local authority replied, "While some primary planning areas in the wider Rugby area (namely your school's PA, Rugby North Central, and The Revel) are experiencing some pressure for school places, this is not the case across the other planning areas in Rugby. The Long Lawford Planning Area has experienced pupil numbers significantly below PAN in recent years and this is forecast to continue."

10. The local authority told me, in the application to reduce the PAN,

"There has been a steady decline in pupil applications to Long Lawford Primary School over the past few years. This reflects a change of parental preference, in an area with surplus places usually available in alternative schools in neighbouring planning areas. Following consultation, from 2024 it is intended that the PAN will be permanently changed to 60."

11. If I determine that the PAN reduces to 60 for admission in 2023, 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 Long Lawford primary planning area (the planning area).

12. The local authority provided me with information about the number of places at the school, the number of children admitted in the last three years, the numbers of places accepted in 2022 and the forecast for 2023.

	2019	2020	2021	2022	2023	2024
PAN	90	90	90	90	60 (proposed)	60 (after consultation)
Admissions	68	75	50	62 (at present)	63 (forecast)	64 (forecast)

Forecasts, as shown above, indicate that three children may not be offered a place at the school in 2023 if the PAN is reduced.

13. I have also looked at the other planning areas nearest to the school and the surplus places forecast for 2023/24 and 2024/25: The table below shows the forecasts for neighbouring planning areas, where, if needed, children are likely to be offered places at the closest schools; Riverside Academy (1.22 miles), Cawston Grange (1.33 miles) and St Oswald's (1.03 miles). The forecasts for the planning areas of these alternative schools are set out below; there are sufficient surplus places forecast to be available if required.

Planning Area	Year 2023/24	Reception Capacity - PAN	Forecast Reception pupil numbers	Available capacity (4% target)
Rugby North of the Railway	2023/24	240	194	19%
	2024/25	240	185	23%
Rugby South Central	2023/24	210	176	16%
	2024/25	210	173	18%
Rugby West	2023/24	240	190	21%
	2023/24	240	177	26%
Long Lawford	2023/24	90	63	29%
	2024/25	90	64	29%

14. The pupil numbers at the school have varied over the last few years from a low of 50 in 2021 to 75 in 2020. However, the current numbers to start at the school this year and the forecast for the two years following appear consistently just over 60. Because of the infant class size regulations, the school has a choice to either operate three classes in the Reception year or to introduce mixed age classes. The local authority told me,

“Governors are concerned that operating three classes in Reception with low pupil numbers will be financially unsustainable, capping the PAN at 60 provides greater certainty that only two classes will be required. Altering the PAN to 60 will allow the school to operate only two classes in Reception for 2023, allowing for better financial stability.”

15. Schools are largely funded by the number of children and one of the highest costs is staffing. If the number of children in the Reception year is over 60, even by one child, then the school may decide for educational reasons to establish a third class with the costs that this would entail. By the PAN's being changed so that it is 60 then the governing board can plan on that basis which is why it supports the proposal. The drop in pupil numbers over the last few years 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 nearby planning areas if there are further requests for places. Because the request for a variation has been made before the deadline for completing the local authority composite prospectus for 2023, I am also assured that the local authority will be able to ensure that parents are made aware of the reduction in PAN before they begin to apply for school places for September 2023. I find that the variation is justified by the circumstances and approve the proposed variation.

## 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 September 2023 determined by Warwickshire County Council for Long Lawford Primary School, Rugby

17. I determine that for September 2023 the published admission number will be reduced from 90 to 60.

Dated: 8 August 2022

Signed:

Schools adjudicator: Lorraine Chapman