



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2316

**Admission authority:** the governing board for St Ignatius RC Primary School in the London Borough of Haringey

**Date of decision:** 9 May 2023

## 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 the governing board for St Ignatius RC Primary School for September 2023.**

## The referral

1. The governing board for St Ignatius RC Primary School (the school) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2023 to the adjudicator. The school is a voluntary aided school for children aged three to eleven in Tottenham. The school has a Roman Catholic religious character and is located in the local authority area of Haringey. The local authority submitted the referral on behalf of the governing board following a written request from the governing board.
2. The proposed variation is that the published admission number (PAN) be reduced from 60 to 30 for admissions to reception year (YR) in September 2023.

## 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 on behalf of the governing board. 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 Code.
6. The information I have considered in reaching my decision includes:
  - a. the referral from the governing board authority dated 11 March 2023, supporting documents and further information provided at my request;
  - b. the determined arrangements for 2023 and the proposed variation to those arrangements;
  - c. comments on the proposed variation from the local authority and the Diocese of Westminster, which is the school’s religious authority (the Diocese);
  - d. a map showing the location of the school and other relevant schools; and
  - e. information available on the websites of the local authority, the school and the Department for Education.

## The proposed variation

7. It is proposed to reduce the PAN for YR entry in September 2023 from 60 to 30. This is one of several requests from admission authorities in the local authority in relation to their admission arrangements for 2023. In all these cases, the proposed variations are to reduce the PANs for the schools concerned.
8. The referral states that “A sharper than expected fall in the demand for local primary school places has occurred. This has caused financial pressures for several schools in Planning area 3, in particular St Ignatius which is resourced as a 2fe (60) school but only received 22 first place preferences (16 January 2023) for entry to September 2023.”
9. The referral also states that “It is proposed to reduce PAN for Reception entry to September 2023 from 60 to 30. The reduction in the supply of primary places to align demand more closely will benefit the school budget for 2023/24 and future years. The

governing body will be seeking a permanent reduction going forward to ensure financial viability in achieving economies of scale and to enable the school to continue to deliver on high quality of education.”

10. I note that since the governing board has already determined the admission arrangements for 2024/25 with a PAN of 60, my decision about this variation will have no effect on the PAN for 2024/25. If the school were to wish to have a PAN of 30 for 2024 it will be necessary for it to seek approval from the adjudicator for a variation to the 2024 arrangements to that effect.

11. The proposed variation has the support of the local authority, and the Diocese of Westminster has confirmed that it is aware of it.

12. 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**

13. 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.

14. It is therefore particularly important that the proposed variation is properly scrutinised. I have accordingly given careful consideration to the latest available data in order to form a view about the sufficiency of school places in the local area were the PAN to be reduced from 60 to 30 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.

15. The local authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty the local authority assesses the likely future number of places to be needed and plans to meet that need. The local authority uses planning areas, which are geographical groups of schools, for this purpose. The school is one of 10 schools admitting children to YR in its planning area. Table 1 below summarises the number of children admitted to these schools in recent years.

**Table 1: numbers of school places in the planning area and numbers admitted to YR or projected to be offered a place in YR**

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>Sum of PANs of schools in the planning area for YR</b>	510	450	450	480
<b>Number of children admitted or projected to be offered a place</b>	459*	376*	388	391 (projected)
<b>Vacant places</b>	51	74	62	89 (potentially)
<b>Vacant places as a percentage</b>	10%	16%	14%	19% (potentially)

16. Table 1 shows that nearly a fifth of all places for YR are expected to be vacant for 2023. I am therefore assured that if the PAN for the school were to be reduced to 30, and if this were to be the sole variation being sought in the planning area, then there would be sufficient places left for those seeking a place in YR. Another school in the planning area has recently had approval for a variation to reduce their PAN by 30, and so if this variation were approved as well, the number of potentially vacant places would be 29 (seven per cent), which I also consider to be sufficient to accommodate any children seeking a place in YR outside of the normal admission round.

17. I now turn to the numbers of children at the school and the reasons given by the school in support of the variation request. Table 2 summarises the numbers admitted to the school in recent years.

**Table 2: numbers of children admitted to YR or offered a place in YR at the school**

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
<b>The PAN for the school</b>	60	60	60	60
<b>Number of children as at October census or offered a place</b>	53	30	33	27 (with no waiting list as of 28 April 2023)
<b>Vacant places in YR</b>	7	30	27	33

18. The request for a variation refers to the governing board's wish to align its staffing and budget to a reducing number of children. The school is one affected by the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class

size regulations). The infant class size regulations 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. The infant class size regulations apply to YR and this means that if the number admitted to YR in September 2023 were 27, as projected, and the school wishes to teach only in single year group classes, there would be one YR class, close to the maximum size. This would be financially efficient.

19. If the PAN for the school were to remain at 60, then any in year applications for YR during the academic year beginning in September 2023 will have to be admitted until at least 60 have been admitted. There is therefore a possibility that if further children were admitted in year, the number of YR children would exceed 30. To avoid a breach of the infant class size regulations, the school would have to either create an extra reception class or reorganise their infant children into mixed age classes. This would present a logistical and financial challenge.

20. After consideration of all the factors above, and given that there is no evidence of any frustration of parental preference, I find that the variation is justified by the circumstances and I approve it. The PAN for 2023 will be 30.

## **Determination**

21. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the governing board for St Ignatius RC Primary School for September 2023.

Dated: 9 May 2023

Signed:

Schools adjudicator: Clive Sentance