



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2330

Admission authority: Hampshire County Council for Manor Junior School, Farnborough

Date of decision: 27 June 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 Hampshire County Council for Manor Junior School, Farnborough for September 2023.

I determine that for September 2023 the published admission number will be reduced from 90 to 62.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2023 (the arrangements) for Manor Junior School (the school) to the adjudicator. The school is a community school for children aged seven to eleven in Farnborough.
2. The proposed variation is to reduce the published admission number (PAN) for September 2023 from 90 to 62.

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:

“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.

5. In considering this matter I have had regard to all relevant legislation, and the Code. The information I have considered in reaching my decision includes:

- a. the referral from the local authority dated 19 May 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 school;
- 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

6. The proposed variation is to reduce the PAN of the school from 90 to 62 for September 2023. The arrangements for the school for 2023/24 were determined by the local authority on 28 February 2022.

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. When an admission authority wants to reduce the PAN at a school before it determines its arrangements, it is required to consult parents and others listed in paragraph

1.44 of the Code for at least six weeks. This allows public scrutiny of the proposed new PAN. Once arrangements have been determined, they may only be varied in limited circumstances. The variation process is set out in paragraph 3.6 of the Code. That process is designed for use when there is a “major change in circumstances” occurring since the arrangements were determined. An example of a major change in circumstance might be where an unanticipated problem occurs with a school building requiring remedial work that temporarily reduces the capacity of the building without leaving time to consult on any necessary changes to admission arrangements. The variation process does not include the wider consultation process. In this case the variation requested is for a reduction in the PAN from 90 to 62 at the school for September 2023 with the intention that the school will reorganise its classes in Year 3 into two classes instead of the three classes that it has been running in each year group up until now. I am concerned that parents and others should be able to have their views fully considered when changes are made to admission arrangements whenever possible and as required by the Code. I would urge the school and the local authority to take this point into consideration when contemplating the PAN that is to be applied in future years.

9. There is one further important point I should make for the avoidance of doubt. The PAN does not apply beyond the year of normal admission, which in this case is Year 3. Decisions about whether or not there are places available in the cohort in subsequent years, for example in Year 4, are made by the admission authority and the Code requires that places will be offered if there is space available. The decision about whether or not there is space available is made on the basis of any potential prejudice to the efficient delivery of education or use of resources in the school. For year groups other than Year 3, the admission authority could choose to argue that the number of places are limited by the number of classes and the number of children within them to the extent that in order to admit a child it might be necessary to create an additional class but the school would not receive sufficient budget to be able to fund such an additional class and in consequence refuse to offer a place. In such a circumstance, if an applicant wishes to appeal against a refused application for in-year admission they have the right to do so to the admission authority’s independent appeal panel.

10. Before I consider the proposed variation, I should note that the local authority has determined the 2024/25 arrangements, including the PAN, for the school on 21 February 2023. The PAN is 90 for 2024. As the arrangements have already been determined, my decision on this application will not affect that determination. My decision affects only admissions to Year 3 at the school for 2023. If the local authority and the school wish to vary the arrangements for 2024 there will need to be a further request for a variation submitted.

11. The school is currently operating with a PAN of 90 and there are 12 classes. In May 2023 the numbers in the classes were as shown in the following table:

Class	Y3	Y4	Y5	Y6
3M	29	-	-	-
3S	30	-	-	-
3W	31	-	-	-
4B	-	29	-	-
4D	-	28	-	-
4N	-	28	-	-
5	-	-	32	-
5B	-	-	29	-
5C	-	-	30	-
5X	-	-	-	30
6D	-	-	-	30
6F	-	-	-	29
Total	91	85	91	89

12. The local authority on behalf of the school has offered 64 places for the September 2023 and, with this number, the school wishes to operate with two classes in Year 3 and continue running the three classes in Years 4, 5 and 6 making a total of eleven classes across the school. By running two classes in year 3 with a reduced PAN the school's view is that it will not be able to take any children over and above 64 who need a place in Year 3 during 2023 if they are moving into the area or seeking to move into the school during 2023. The local authority reports that Grange Community Junior School has 11 spare places in Year 3 based on the number of places allocated to date. This school is 0.47 miles from Manor Junior School.

13. The pupil number projections for the schools in the Farnborough North Planning area for September 2024 and September 2025 are as follows:

SCHOOL	2024	2025
Year R Intake		
Cherrywood Community Primary School	17	17
Cove Infant School	45	45
Farnborough Grange Nursery/Infant Community School	35	46
Hawley Primary School	63	45
Manor Infant School	53	50
Parsonage Farm Nursery and Infant School	56	55
Pinewood Infant School	30	32
Southwood Infant School	51	50
St Bernadette's Catholic Voluntary Aided Primary School	27	27
The Ferns Primary Academy	13	10
Tower Hill Primary School	69	65

SCHOOL	2024	2025
Total Yr R	459	442
Yr 3 Intake		
Cove Junior School	64	64
Grange Community Junior School	67	71
Guillemont Junior School	76	82
Manor Junior School	68	77
Total Yr 3	275	294

12. The number of places offered at the junior schools in the planning area for September 2023 are set out below and the local authority makes the comment that some schools will have been allocated children that were not successful in being offered one of their preferences so these numbers may change before term starts in September 2023.

SCHOOL	PAN	Offers at 30 May 2023
Year 3		
Cove Junior School	75	75
Grange Community Junior School	60	49
Guillemont Junior School	94	90
Manor Junior School	90	64
Total Year 3	319	278

14. The requested variation is for a PAN of 62. I note that since the request for a variation the number of children offered a place at the school has increased to 64. These offers will be honoured. The school may admit over the PAN and with 64 children will still be able to organise into two classes as it wishes. I am satisfied that there are sufficient vacant places in the planning area if there are further requests for places. I should add that the effect of the reduced PAN will be that there will be no automatic requirement to admit additional children into Y3 as there would be if the PAN were to remain at 90. This is because no school can refuse a child a place if it is below PAN in the normal year of entry.

15. A variation can be requested if there has been a major change in circumstances which come after the admission arrangements have been set. In this case the change in circumstance is that the number of children applying for places was fewer than had been anticipated and that the school needs to be reorganised in order to remain with its budget. 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 variation to the admission arrangements determined by Hampshire County Council for Manor Junior School, Farnborough for September 2023.

17. I determine that for September 2023 the published admission number will be reduced from 90 to 62.

Dated: 27 June 2023

Signed:

Schools adjudicator: David Lennard Jones