



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2411

Admission authority: Hampshire County Council for Peel Common Junior School in Gosport

Date of decision: 15 May 2024

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 Peel Common Junior School for September 2024.

I determine that the published admission number for admissions to year 3 in September 2024 shall be 30.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2024 for Peel Common Junior School (the school) to the adjudicator. The school is a community school for children aged seven to eleven in Gosport.
2. The proposed variation is that the published admission number (PAN) be reduced from 45 to 30 for admissions to year 3 (Y3) in 2024/25.

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 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 local authority which was received on 19 April 2024, supporting documents and further information provided at my request;
 - b. the determined arrangements for 2024 and the proposed variation to those arrangements;
 - c. a map showing the location of the school and other relevant schools; and
 - d. 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 from 45 to 30 for entry to Y3 in 2024/25.
8. The proposed variation has the support of the governing body. I note here that since the local authority has already determined the admission arrangements for September 2025 with a PAN of 30, my decision about this variation will have an effect on the PAN for 2024 only.
9. 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.

Consideration of proposed variation

10. 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 and so it is particularly important that the proposed variation is properly scrutinised.

11. The major change in circumstances relied upon by the local authority is set out in the referral, which was received after national offer day for September 2024 admissions (16 April 2024). The referral states:

“The Published Admission Number (PAN) at Peel Common Junior School for the 2024/2025 academic year is currently 45. On the national notification day for September 2024 admissions the school offered 23 places for Year 3 children.”

“Because the offers for September 2024 are low, failure to reduce the PAN could result in the school needing to operate 5 classes when there are sufficient school places within the planning area and also the local proximity.”

“Historically Peel Common Junior has received applications from the children currently in year 2 at the linked infant school. Additionally, the 2023 PAN was reduced to 33 by successful OSA application. If the school are unable to reduce their PAN for the 2024/2025 academic year, they may need to continue their 5-class organisation structure, as they will need to continue admitting children up to 45 if applications are made naming the school. This would not be financially viable when the school does not have the pupil numbers or forecast data to support this. From 2025, the school has reduced their PAN to 30. School is currently in consultation to become a 1FE primary school. Final decision will be made in May 2025.”

“The reduction of the PAN to 30 will protect the school from financial difficulties and will enable them to plan their staffing with certainty for future academic years.”

12. 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 if the PAN is reduced from 45 to 30 for 2024/25. 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.

13. 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 areas each containing a number of schools, for this purpose. The school is one of five junior schools admitting children to Y3 in its planning area, and the local authority has provided me with data to show the numbers now allocated to those schools following national offer day. This is shown in table 1.

Table 1: numbers of school places at junior schools in the planning area and numbers allocated to Y3 for September 2024

	PAN (prior to proposed variation)	PAN (after proposed variation)	2024 Offers
Alver Valley Junior School	60	60	50
Elson Junior School	90	90	76
Grange Junior School	60	60	60
Rowner Junior School	60	60	48
Peel Common Junior School	45	30	23
TOTALS	315	300	257

14. The above data shows that if the proposed variation is approved, there are likely to be seven places available for entry to Y3 at the school in September 2024, and ample places elsewhere in the planning area. I therefore consider that the proposed variation will have no impact on sufficiency of Y3 places in the planning area. I also note at this point that the allocation numbers for September 2024 are such that there has been no frustration of parental preference for the school.

15. I now turn to the number of children at the school and the reasons given by the school in support of the variation request, which refers to the governing board's wish to align its staffing and budget to the reducing number of children.

16. The school currently operates with children organised into five classes, as follows:

Table 2: current organisation of classes at the school

	Key Stage 2	Key Stage 2	Key Stage 2	Key Stage 2	
Class	Y3	Y4	Y5	Y6	Total
1	15	15			30
2	16	15			31
3			11	14	25
4			13	14	27
5			10	13	23
Total	31	30	34	41	136

17. If the proposed variation is approved, the school will be able to consider moving to a long-term four class structure in September 2024, with children taught in single year group classes. This would give the school an immediate financial benefit and would give it a degree of stability as it plans to amalgamate with Peel Common Infant School. If the PAN were to remain at 45, then any in year applications in the 2024/25 academic year would have to be admitted until at least 45 have been admitted. Whilst this is an unlikely scenario given the numbers in table 1 above, it would nevertheless create a situation whereby an extra class might have to be created, at considerable expense.

18. After consideration of all the factors above, I find that the proposed variation is justified by the major change in circumstances and I approve it. The Y3 PAN for 2024/25 will be 30.

Determination

19. 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 Peel Common Junior School for September 2024.

20. I determine that the published admission number for admissions to year 3 in September 2024 shall be 30.

Dated: 15 May 2024

Signed:

Schools adjudicator: Clive Sentance