



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2405

**Admission authority:** Hampshire County Council for Bartley Church of England Junior School, Southampton

**Date of decision:** 14 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 Bartley Church of England Junior School, Southampton for September 2024.

I determine that for September 2024 the published admission number will be reduced from 96 to 68.

## The referral

1. Hampshire County Council (the local authority) has referred a proposal to the adjudicator for a variation to the admission arrangements for September 2024 (the arrangements) for Bartley Church of England Junior School (the school). The school is a voluntary controlled school for children aged seven to eleven in Southampton. It has a Church of England religious character and is located in the local authority area of Hampshire and in the Church of England Diocese of Winchester (the Diocese). The Diocese is the school's religious body.
2. The proposed variation is to reduce the published admission number (PAN) for September 2024 from 96 to 68.

## 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.

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 dated 26 March 2024, supporting documents and further information provided at my request;
- b. the determined arrangements for 2024 and the proposed variation to those arrangements;
- c. comments on the proposed variation from the school and 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. The proposed variation is to reduce the PAN of the school from 96 to 68 for September 2024. The arrangements for the school for 2024/25 were determined by the local authority on 21 February 2023.

8. The referral states:

“The Published Admission Number (PAN) at Bartley Church of England Junior School for the 2024/2025 academic year is currently 96.

For the September 2024 admissions round the school currently have only 59 applications naming them as first preference.

The planning area of Totton Primary has 396 (426 with Abbotswood asking to admit 180 – 30 above their PAN of 150) spaces, but there are currently only 324 first preference applications naming the schools in the planning area, therefore there are sufficient places to accommodate the parental preference demand in the area even if the reduction was agreed.”

9. The referral states that the school is currently organised into 12 classes, three in each of the four year groups.

10. The referral also states that:

“The 1st preference data for the 2024/2025 academic year is low and therefore failure to reduce the PAN could result in the school needing to operate 12 classes when there are sufficient school places within the planning area and also the local proximity. 1st preference data at the neighbouring schools, Calmore Junior School (38/60) and Foxhills Junior School (69/90) both show first preference undersubscription. Abbotswood are planning to take 1fe over their current PAN however they are a Foundation school so they have been disregarded in terms of this analysis.

If the school is unable to reduce its PAN for the 2024/2025 academic year, [they] may need to continue their 12-class organisation structure, as they will need to continue admitting children up to 96 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.”

11. 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 in 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**

12. 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.

13. It is therefore particularly important that the proposed variation is properly scrutinised. I have accordingly considered the latest available data to form a view about whether there will be a sufficiency of school places in the local area if the PAN for September 2024 is reduced from 96 to 68. I have also considered the demand for places at

the school, the reasons given for the change and the potential effect on parental preference.

14. Before I consider the proposed variation, I note that the local authority confirm that they have determined the 2025/26 arrangements, including a PAN of 96, for the school. As the arrangements have been determined, my decision affects only admissions to Year 3 (Y3) at the school for 2024. If the local authority and the school wish to vary the arrangements for 2025 there will need to be a further request for a variation submitted.

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 areas each containing a number of schools, for this purpose. The school is one of 13 schools providing primary education in the Totton planning area of Hampshire. Of the schools in the planning area, eight are infant schools, providing education for children aged four to seven; four are junior schools providing education for children aged seven to eleven; and one is a primary school providing education for children aged four to eleven. In the infant and primary schools, the normal year of entry is Reception. In the junior schools, including the school, the normal year of entry is Y3.

16. Table 1 summarises the data supplied to me by the local authority for each of the junior schools in the planning area that admit children into Y3; the number of children admitted in each of the previous three years; the number of places offered for 2024 and the forecast numbers for 2025.

**Table 1: The number of school places in the planning area and the number of children admitted into Y3**

	Year of entry				
	2021	2022	2023	2024 <sup>a</sup>	2025 <sup>c</sup>
The total PAN for the schools in the planning area that admit into Y3	390	390	396	396 <sup>b</sup>	396
The total number of children in the planning area admitted into Y3	388	360	347	323 <sup>a</sup>	318 <sup>c</sup>
Vacant places in the planning area	2	30	49	73	78
Vacant places in the planning area as a proportion of total number of places	0.5%	7.7%	12.4%	18.4%	19.7%

<sup>a</sup> - Offers made for September 2024 - Data correct 24/04/2024

<sup>b</sup> - There is a discrepancy in the data provided by the LA for Calmore Junior School's 2024 PAN. Some tables state a PAN of 60, others 64. I have assumed 60 for the purpose of this determination.

<sup>c</sup> - Forecast – Data correct 19/03/2024

17. Table 1 shows that there are likely to be over 70 vacant places for Y3 children in the planning area in September 2024.

**Table 2: The PAN and the number of places offered for September 2024 for each junior school within the planning area (Data correct 24/04/2024)**

School name	PAN	No of places offered	No. of vacant places
Abbotswood Junior School	150*	157	-7*
<b>Bartley Church Of England Junior School</b>	<b>96</b>	<b>59</b>	<b>37</b>
Calmore Junior School	60	38	22
Foxhills Junior School	90	69	21
<b>Total</b>	<b>396*</b>	<b>323</b>	<b>73*</b>

\* The LA confirm that Abbotswood Junior School are planning to admit up to 180 children, giving a total PAN of 426. There are, therefore, potentially 103 vacant places in the area.

18. As indicated in the referral, Abbotswood Junior School intend to admit up to 30 children above their published PAN of 150. When this is taken into consideration, all schools within the planning area are likely to have vacant places in Y3 in September 2024. I am, therefore, assured that if the PAN for the school were to be reduced from 96 to 68, there would be sufficient vacant places in the area for those seeking a place in Y3 during the academic year. I am also assured that parents would be able to secure a place either at the school itself or at another local school as there are likely to be places available at a number of schools in the area. I do not, therefore, consider that there is any evidence to suggest a likelihood that parental preference would be frustrated if the variation is approved.

19. Information provided by the school states that, “as only 59 places have been offered” for September 2024, “it would be financially detrimental to the School to have three classes in Y3.” The proposed variation “would enable the School to limit the classes needed to two.” The risk to the school’s financial viability if it continued to operate 12 classes is confirmed by the admissions authority. The information provided by the school also indicates that consideration has been given to the management of classes of up to 34 children.

20. For admission in September 2024, all applicants have been offered a place at the school. They would also have been offered a place if the PAN had been 68. I have expressed my concern about the lack of consultation when changes are made to admission arrangements by means of a variation. However, in this case the concern appears unwarranted in the sense that all parents seeking a place for their child at the school have been offered a place and there remain nine unallocated places which would be available should a family seek a place for a child during the school year.

21. The Diocese of Winchester confirm that they support the proposed variation to the admissions arrangements.

22. After consideration of all the factors above, I find that the variation is justified by the circumstances, and I approve it. The PAN for the academic year 2024/25 will be 68.

## Determination

23. 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 Bartley Church of England Junior School, Southampton for September 2024.

24. I determine that for September 2024 the published admission number will be reduced from 96 to 68.

Dated: 14 May 2024

Signed:

Schools adjudicator: Catherine Crooks