



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2420 and VAR2421

Admission authority: Wokingham Borough Council for Gorse Ride Junior School, Finchampstead, Wokingham.

Date of decision: 12 June 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 Wokingham Borough Council for Gorse Ride Junior School for September 2024. I determine that the published admission number for 2024 will be 32.

I do not approve the proposed variation to the admission arrangements determined by Wokingham Borough Council for Gorse Ride Junior School for September 2025. The published admission number for 2025 will remain at 64.

The referral

1. Wokingham Borough Council (the local authority) has referred proposals to the adjudicator for variations to the admission arrangements (the arrangements) for 2024 and 2025 for Gorse Ride Junior School (the school). The school is a community school for children aged seven to eleven in Finchampstead, Wokingham. It is federated with Gorse Ride Infants' School (the infant school), which is located on the same site. The federation has a single senior leadership team and governing body.

2. The proposed variations are:

a) that the published admission number (PAN) be reduced from 64 to 32 for admissions to year 3 (Y3) in the academic year beginning in September 2024 (VAR2420); and

b) that the PAN be reduced from 64 to 32 for admissions to Y3 in September 2025 (VAR2421).

Jurisdiction and procedure

3. The referrals were 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 body 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 13 May 2024, supporting documents and further information provided at my request;
- b. the determined arrangements for 2024 and the proposed variation to those arrangements;
- c. the determined arrangements for 2025 and the proposed variation to those arrangements;
- d. comments on the proposed variations from the school;
- e. VAR2380 and VAR2388 in relation to Gorse Ride Junior School;
- f. VAR2281 and VAR2282 in relation to Gorse Ride Infant School;
- g. a map showing the location of the school and other relevant schools; and

- h. information available on the websites of the local authority, the school and the Department for Education.

The proposed variations

7. The proposed variations are to reduce the PAN of the school from 64 to 32 for September 2024 and for September 2025. The arrangements for the school for 2024/25 were determined by the local authority on 6 January 2023. The arrangements for 2025/26 were determined on 31 January 2024.

8. The referrer outlines two changes in circumstances leading to the proposed variations. These are:

“Firstly, the council has experienced a period of roll volatility associated with exceptional levels of migration into the borough. Recent evidence (post-dating the point at which both the 2024 and 2025 arrangements were determined) indicates that while the borough continues to see mid-year primary phase roll growth, this is at a lower rate than seen in the 2021 to mid-2023 period. The evidence ... points to the dominant factors in future roll numbers being the declining birth numbers experienced since 2012, and the local impact of house building. Consequently, the risk that the 32 places that would not be available as a result of the approval of the proposed variation being required in the 2024/25 academic year is judged to be minimal.

Secondly, on national offer day 2024 only 30 offers were made for Year 3 in September 2024. There is no risk, therefore, that any parent who made an “on time” application through the 2024 admissions round who expressed a preference on behalf of their child for the school will be deprived of an offer of a place at that school, if the PAN is reduced.

Moreover, if the school were to admit over 32 children because of future applications in the period until the end of the 2024/25 year, and consequently had to employ additional teaching staff, it is very unlikely the additional children would generate sufficient funding to cover the additional costs.

Looking at the South East area as a whole, in January 2024 (the most recent school census data), Year 2 rolls (Year 3 in September 2024) and Year 1 rolls (Year 3 in September 2025) were 203 and 185 respectively, projected to increase [sic] to 202 and 182 on Year 3 rolls in 2024/25 and 2025/26, against a nominal capacity of 247 places (noting this is nominal because there is no mid phase measure of capacity to calculate the balance of demand and available capacity against), it is anticipated that there will be sufficient places available to ensure south east area children requiring Year 3 places, will have that need met locally in those years.”

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. I will consider below whether the variation requested is justified by the change in circumstances.

Consideration of proposed variation

10. There is no formal consultation required for a variation, in which case parents and others are not afforded the opportunity to express their views. Clearly it is desirable that PAN reductions are made by 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.

11. It is therefore particularly important that the proposed variations are properly scrutinised. I have accordingly given careful consideration to the latest available data in order to form a view about the impact of each of the proposed PAN reductions on the sufficiency of school places in the local area. I have considered the demand for places at the school, the reasons given for the changes, the potential effects on parental preference and whether the changes are justified in these circumstances. I note that a reduction in PAN from 64 to 32 has been requested for three consecutive years. The arrangements for September 2026 have not yet been determined, and so if the proposed variation for 2025 were to be approved, the PAN for 2026 and subsequent years could be set at 32 without objection save from the governing body of the school.

VAR2420 – PAN reduction for 2024

12. 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.

13. The school is one of eight schools providing primary education in the Wokingham Borough South East planning area. Of the schools in the planning area, two are infant schools, providing education for children aged four to seven; two are junior schools providing education for children aged seven to eleven; and four are primary schools providing education for children aged four to eleven. In the infant and primary schools, the normal year of entry is Reception (YR). In the junior schools, including the school, the normal year of entry is Y3.

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 ^a	2025 ^b
The total PAN for the schools in the planning area that admit into Y3	128	128	96 ^c	128	128
The total number of children in the planning area admitted into Y3	103	107	87	93	79
Vacant places in the planning area	25	21	9	35	49
Vacant places in the planning area as a proportion of total number of places	19.5%	16.4%	9.4%	27.3%	38.0%

^a Offers made for September 2024 - Data correct 05/06/2024

^b Forecast data provided 08/04/2024

^c Variation agreed by OSA to reduce total PAN from 128 to 96 (VAR2281)

14. Table 1 shows that there are likely to be over 30 vacant places for Y3 children in the junior schools 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 05/06/2024)

School name	PAN	No of places offered	No. of vacant places
Gorse Ride Junior School	64	30	34
Oaklands Junior School	64	63	1
Total	128	93	35

15. Table 2 shows that both junior schools within the planning area are likely to have at least one vacant place in Y3 in September 2024 after all the places offered have been accepted.

16. Further data provided by the LA shows that, over time, there has been a number of surplus places in YR admission to the schools in the planning area that admit children to YR. In 2021, there were almost 50 vacant YR places in these schools, about 20 percent of the total number of places. This is the cohort that will be entering Y3 in September 2024.

17. I am, therefore, assured that if the PAN for the school were to be reduced from 64 to 32, there would be vacant places in the area for those seeking a place in Y3 during the academic year. Although the percentage of vacant places at the junior schools would only be 3.1%, the school would have two unallocated places. I am also assured that parents would be able to secure a place either at the school itself or at another local school. 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.

18. Information provided by the school states that,

“Given the low Numbers on Roll across all year groups, we can only budget for one teacher in Year 3 and Year 4. Without the reduction in PAN to 32, we risk exceeding this number and necessitating the recruitment of another full-time teacher.”

The letter goes on to say:

“Our strategy for September 2024 revolves around having one teacher each in Years 3 and 4, and two teachers each in Years 5 and 6. Employing an additional full-time teacher in either Year 3 or Year 4 would severely strain our financial stability.”

19. 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 32. 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 two unallocated places which would be available should a family seek a place for a child during the school year.

20. After consideration of all the factors above, I find that the variation for September 2024 is justified by the circumstances, and I approve it. The PAN for the academic year 2024/25 will be 32.

VAR2421 – PAN reduction for 2025

21. As referred to above, data provided by the LA show that, over time, there have been a considerable number of surplus places at the point of admission to YR for the six relevant schools in the planning area. This is shown in Table 3.

22. On the basis of these figures, I find that there is no evidence that the proposed variation will lead to a general lack of sufficiency of places in Y3 in 2025/26 for children who require a school place by moving into the area.

Table 3: Admission numbers to YR for schools in Wokingham Borough South East Planning Area

YR admissions	2021	2022	2023
Total PAN	241	211	211
Total allocation to infant schools	83	78	66
Total allocation to primary schools	109	95	109
Total allocation to infant and primary schools	192	173	175
Total surplus places	49	38	36

Table 4: Admission numbers to Y3 for schools in Wokingham Borough South East Planning Area

Y3 Admissions	2021	2022	2023	2024^a	2025^a
Total forecast no. of place required				82	79
Total PAN	128	128	96 ^b	96 ^b	128
Total allocation	103	107	87	93	-
Surplus	25	21	9	3	49

^a Forecast data provided 08/05/2024

^b Variation agreed by OSA to reduce total PAN from 128 to 96

23. Table 4 shows that the LA's forecast data for children joining a junior school in Y3 may underestimate the number of places actually required. For example, for admission in 2024, the LA forecast 82 children would join a junior school in Y3 but, as at 05/06/2024, 93 places had been offered. These figures mean that I must also consider whether the proposed PAN reduction for the school might lead to a shortage of places for children transferring from the linked infant school.

Table 5: Previous educational provision for children joining Gorse Ride Junior School in Y3

	2021	2022	2023	2024 (Accepted Offers)	2025 (Forecast)
Gorse Ride Infant	42	39	33	29	30
N/A (eg Overseas)	6	3	2	1	
Another infant or primary school	4	4			
Total	52	46	35	30	30

24. As seen in Table 5, the majority of Y3 pupils join the school from Gorse Ride Infant School. I note that the infant school reduced its PAN from 60 to 30 in September 2022. However, children also join the school from a variety of other infant and primary schools and from overseas.

25. The LA state:

“Our expectation (and this is consistent with our projection methodology) is that future admissions to the Gorse Ride JS will predominantly be from Gorse Ride Infant School, with no admissions from other schools (noting that only 3 out of 65 (<5%) allocations made for 2023 and 2024 entry came from other schools, and that in so far as there is a discernible pattern as to where other children who have been admitted

in earlier years were educated, it is that only children from overseas have been admitted in all years, and the number of such admissions is trending towards zero).”

26. While the number of children joining the school from settings other than the infant school has reduced over time, the average number of children entering Y3 from another setting in the last three years is three.

27. The admissions criteria for the school are summarised below. Children with an Education Health and Care Plan that name the school are required to be admitted. Then:

- a. Looked-after and previously looked-after children.
- b. Families who have exceptional medical or social needs.
- c. Children attending the linked infant school.
- d. Children who live in the school’s “designated area” and who have a sibling attending the school at the time of admission.
- e. Other children living in the “designated area”.
- f. Children living outside of the school’s “designated area” but who have a sibling attending the school at the time of admission.
- g. Other children.

28. From information provided by the school, the current numbers of children in Y1 and YR in the infant school are 30 and 27 respectively. Children currently in Y1 will be the cohort transferring to Y3 in September 2025. Given that children with an EHCP or meeting criteria ‘a’ or ‘b’ are a higher priority than those meeting criterion ‘c’, parents of children at the infant school who wish their child to go to the junior school in September 2025 may be frustrated in securing a place with the proposed reduction in PAN.

29. Taking all this information together, I cannot rule out the possibility that the proposed PAN reduction may leave a shortage of places at the school for children whose parents would wish them to transfer from the linked infant school in 2025. As a result, parental preference may be frustrated if the variation is approved.

30. After consideration of the factors above, I find that VAR2421 is not justified by the circumstances, and I do not approve it. The PAN for 2025 will remain at 64, the figure determined by the local authority in January 2024.

31. I am conscious of the challenges faced by the school and, indeed, the challenges in pupil number forecasting. I, therefore, wish to make it clear to the local authority that it would be open to it to re-apply in 2025 for a PAN reduction for 2025, by which time it will have more information about the number of actual applications for Y3 places at the school for September 2025. Importantly, the school would still have time to make any necessary changes to their staffing and class organisation for September 2025. In addition, the local authority would by then also have been able to consult on a PAN reduction for 2026

following the normal procedures for making changes to admission arrangements. I note that the school would welcome this change, as they state:

“Furthermore, the council's projections indicate static primary rolls until 2027/28, reinforcing our request for an ongoing reduction in PAN from 64 to 32, rather than restricting it to one year. This will mitigate the need for additional teaching staff and the associated financial strain.”

However, I emphasise that my determination here has no bearing on that process nor on the PAN that is determined by the local authority for 2026.

Determination

32. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Wokingham Borough Council for Gorse Ride Junior School for September 2024. I determine that the PAN for 2024 will be 32.

33. I do not approve the proposed variation to the admission arrangements determined by Wokingham Borough Council for Gorse Ride Junior School for September 2025. The published admission number for 2025 will remain at 64.

Dated: 12 June 2024

Signed:

Schools adjudicator: Catherine Crooks