



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2440

**Admission authority:** The London Borough of Haringey for Rokesly Infant and Nursery School

**Date of decision:** 28 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 the London Borough of Haringey for Rokesly Infant and Nursery School for September 2024.

I determine that the published admission number be 60.

## The referral

1. The London Borough of Haringey (the local authority) has referred a proposal for a variation to the admission arrangements for September 2024 (the arrangements) for Rokesly Infant and Nursery School (the school) to the adjudicator. The school is a community school for children aged four to seven.
2. The proposed variation is that the published admission number (PAN) be reduced from 90 to 60.

## 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 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 received 24 June 2024 and supporting documents;
  - b. the determined arrangements for 2024 and the proposed variation to those arrangements;
  - c. comments on the proposed variation from the governing body for 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 and the Department for Education (DfE).

## The proposed variation

7. The local authority explained that the number of children requiring a place in reception year (YR) has been reducing since 2015. The local authority has taken some steps to address this but said,

“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 2, in particular Rokesly Infants which is resourced as a 3fe (90) school but only received 51 first place preferences (8 February 2024) for entry to September 2024.”
8. The local authority, with the support of the governing body, has therefore requested that the PAN be reduced from 90 to 60 for September 2024 and said,

“The reduction in the supply of primary places to align demand more closely will benefit the school budget for 2024/25 and in future years. A more permanent reduction in response to falling demand will assist the school to ensure financial viability in achieving economies of scale and to enable them to continue to deliver on a high quality of education.”

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 and so parents and others do not have the opportunity to express their views. Once the PAN has been set for a particular year then no body, except the governing body of a community or voluntary controlled school, can object if that PAN remains the same in subsequent years. 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. In this case, the proposed variation will affect admissions for 2024 only; the PAN for 2025 has been set at 90 and my decision in this case will not affect that.

11. 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, for this purpose. The planning area for the school is called planning area 2 containing ten schools admitting children to YR. According to the DfE website, ‘Get information about schools’, there are 12 schools that admit children to YR within one mile of the school and most are in the planning area. Table 1 below summarises the number of children offered a place in recent years for schools in the planning area.

Table 1: numbers of school places and numbers of children offered a place in schools in the planning area

	2022	2023	2024
<b>Sum of PANs of schools in the planning area for YR</b>	600	600	600
<b>Number of children admitted or offered a place</b>	579	540	509 June 2024
<b>Vacant places</b>	21	60	Potentially 91

12. The information provided shows a significant reduction from 2022 when the proportion of vacant places was 3.5 per cent to over 15 per cent for 2024. If the PAN for the school were to reduce by 30, as proposed, there would be around 61 vacant places which would be just under 11 per cent of the whole. Given the close proximity of other schools in the area and the proportion of vacant places, I am assured that if the PAN for the school were reduced to 60 there would be sufficient places for the children in the area and any children who may move into the area, who have not yet secured a place. Table 2 provides information on the school.

Table 2: the number of children offered a place in recent years at the school

	2022	2023	2024
<b>The PAN for the school</b>	90	90	90
<b>Number of children admitted to YR or offered a place</b>	86	73	60 June 2024
<b>Number of vacant places</b>	4	17	30

13. Table 2 shows a similar pattern to table 1, with a significant reduction in the number of places offered at the school since 2022. The local authority said that it initially offered 63 places, but some children obtained places at other schools. It is usual at this time of year that there can be significant churn as the situation of children changes in the months before admission in September 2024. However, at this point if I agree to the PAN being reduced to 60 then no more than 60 children are likely to be admitted to YR in September 2024.

14. I will now consider the consequences if I do not agree to the variation. The school is one affected by the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) which 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 I understand that many schools wish to teach with single year groups to a class. Many schools have more than one year group to a class, sometimes known as mixed aged classes, but this is not an approach taken by the school in this case.

15. Schools are largely funded on the number of children on roll and the main cost is for staff. This means that a class of 30 children is financially efficient and a class of 20 unlikely to meet the costs of providing the class. Clearly if the school had two classes of 30 for YR, rather than three classes of 21 (if 63 children were admitted for example) then the costs are less. If just over 60 children are offered places in YR at the school before September 2024, then the school may have to provide sufficient staff for three classes with all the costs that entails. This could be the case, even if only 60 children are actually admitted to the school on the first day of term in September, as the school has to arrange staffing in advance.

There is also the ongoing problem that, even if the school is able to run two classes of 30 children in September, if the PAN were to remain at 90, then parents could seek a place at the school until July 2025 and the children would have to be admitted until the PAN of 90 is reached. If it transpired that part way through the school year that a third class were required, this would lead to significant additional costs which may well adversely affect standards across the school, and also cause disruption to the children as YR classes are reorganised from two to three.

16. I am satisfied that there would be sufficient places in YR in the local area if the PAN for the school were to be reduced to 60 and that there would not be parental frustration. Setting the PAN at 60 will allow the school to plan accordingly for the benefit of the children whose education the school provides. I therefore find that the variation is justified by the circumstances and approve the proposed variation.

## Determination

17. 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 London Borough of Haringey for Rokesly Infant and Nursery School for September 2024.

18. I determine that the published admission number be 60.

Dated: 28 June 2024

Signed:

Schools adjudicator: Deborah Pritchard