



Office of
the Schools
Adjudicator

Determination

Case references: VAR2450

Admission authority: The governing body of Crookham Church of England Infant School, Fleet, Hampshire.

Date of decision: 13 August 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 governing body of Crookham Church of England Infant School, Fleet, Hampshire for September 2024.

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

The referral

1. The board of governors of Crookham Church of England Infant School has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2024 for Crookham Church of England Infant School (the school) to the adjudicator. The school is a voluntary aided school for children aged three to seven in Fleet, Hampshire. The governing body is the admission authority for the school. The local authority is Hampshire County Council. The school has a Church of England religious character and the faith body is the Diocese of Guildford (the Diocese).
2. The proposed variation is:
 - a. that the published admission number (PAN) be reduced from 60 to 30 for admissions to reception year (YR) in September 2024.

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 governing body has provided me with confirmation that the appropriate bodies have been notified. I have seen confirmation that the local authority 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 chair of the governing body dated 4 July 2024 and supporting documents;
- b. the determined arrangements for 2024 and the proposed variation to those arrangements;
- c. correspondence with the school;
- d. correspondence with the local authority;
- e. response from the Diocese; and
- f. 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 60 to 30 for entry to YR in 2024.

8. The proposed variation has the support of the local authority.

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. 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 is set out in the referral from the school, which states: "The Published Admission Number (PAN) at Crookham CE Aided Infant School for the 2024/2025 academic year is currently 60. This has been the PAN for the school for many years. For the September 2024 admissions round, 35 families have accepted their offers of a place. This current number of 35 is lower than initially expected when places were offered in April 2024. The planning area for the Hart area has 560 Reception spaces, however there are currently only 480 first preference applications naming the schools in the planning area, therefore there are sufficient places to accommodate the parental preference demand in the area if our PAN variation is agreed. The reduction in pupil numbers is a significant change for the school to manage and is unexpected: the actual number of applications is significantly below pupil forecasts and not typical for our school (the school is typically full and over-subscribed). The 2 form entry school are currently operating 6 discrete year group classes across the school with approximately 60 children in each year group (30 per class). Based upon actual applications (currently 35 places accepted), from September 2024 the 2 Reception classes will be very small. With the significant number of Reception 2024 spaces across the local area, it is unlikely that the school would be able to increase numbers for this cohort in order to increase these class sizes over time. This change in circumstances and the need to sustain 2 very small classes for 3 years, will significantly affect our ability to safeguard the school financially. The 1st preference data for the 2024/2025 academic year is low and therefore failure to vary the PAN for this cohort could result in the school needing to operate 2 small classes for this cohort (from September 2024 to 2027) when there are sufficient school places within the planning area and also in local proximity for families. If the school are unable to vary the PAN for the 2024/2025 Reception cohort, they may need to continue with the 6 class organisation structure (due to KS1 legal class size limits of 30), as they will need to continue admitting children up to 60 places, if applications to the school are made. This would not be financially viable when the school does not have the pupil numbers or forecast data to support this. By reducing the cohort PAN to 30, the school could potentially reduce from 2 small classes to one class of 30, thereby adhering to the legal class size limit of 30 but also ensuring financial viability through reduced staffing costs."

12. The request for a variation goes on to suggest reasons why the numbers have reduced for September 2024. Three reasons are cited; confusion amongst parents who use the County Council's catchment area finder which does not identify the school, instability in the leadership of the school during the long term absence of the headteacher and wider choices of junior school made by those families transitioning from infant to junior school: previously Y2 children moved to one of two junior schools at the end of key stage one but recently a wider group of schools has been chosen. This has led to siblings joining infant schools closer to their older sibling's junior school.

13. The Diocese provided me with the guidance it provides for schools on admissions and responded that the governing body had informed them of the intention to request a variation to the PAN on 22 May 2024. The Diocese has supported and assisted the school with its application for a change in PAN for September 2024 whilst agreeing that plans were in place should the numbers not fall to 30 or below. The Diocese agreed with the school that there are various factors which have led to the unexpectedly low number of YR applicants not least the 'inability of the County Council's catchment finder system to accurately portray the ecclesiastical parish boundary as the school's catchment area' as explained by the governing body in its request for a PAN variation.

14. The local authority responded that it is supportive of the reduction in order to support the school's viability. The local authority and the school have worked together to gather the data required for the request and the local authority remains supportive as long as the reduction honours those offers over 30 which have already been made. The local authority provided information relating to a concern which had been made to the DfE by the Diocese about the catchment area finder. The local authority reports that the DfE responded that after engagement with Hampshire County Council their view was that the local authority was 'taking a constructive approach to resolving this.' Looking at the local authority's website there is information about voluntary aided schools and a note that those schools which have parish boundaries as catchment areas do not appear on the catchment school finder. However, if the post code for the school is put into the catchment finder another infant school is identified as the catchment school. The school and the Diocese believe that this is a major contributory factor in the reduction in numbers this year.

15. The local authority has a duty to make sure that there are sufficient places for the children in its area. School admissions for the Hampshire County Council are based on geographical planning areas. There are eight schools which admit pupils in YR in the planning area for this school. Over the last four years the total PAN for the planning area has reduced from 600 to 560. This was as a result of a PAN reduction at another infant school in 2021.

16. In September 2023 these 560 places were filled by 541 pupils showing a surplus of places of 19 and in September 2024 482 pupils have been allocated places across the eight schools showing a surplus of 78 places. Projections from the local authority for 2025 intake show that it is expected that 487 places will be required. (See table below)

17. I have 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 60 to 30 for 2024. 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 taking into account all relevant circumstances.

18. The referral form has provided me with data to show the numbers now allocated to the eight schools following national offer day (16 April 2024) and the projected numbers for 2025. These shown in table 1.

Table 1: School places in the planning area, allocations to YR for September 2024, and projections for 2025

	2022	2023	2024	2025
Sum of PANs of schools in the planning area	560	560	560	560
Number of children admitted or projected to be offered a place	508	541	482	487 (projected)
Vacant places	52	19	78	73
Vacant places as a percentage	9.3	3.4	13.9	13
Sum of PANs if variation approved			530	
Vacant places if 2024 variation approved			48	
Vacant places as a percentage if 2024 variation approved			9.1	

19. From these figures it is clear that across the area, if the PAN reduction is agreed the percentage of surplus places (9.1 per cent in 2024) would be within the DfE recommended limits of between five and ten per cent.

20. Scrutiny of the figures shows the sudden decline in numbers for the school – see table 2 below.

Table 2: Admissions to the school

	2021	2022	2023	2024	2025
PAN (if variation approved)	60	60	60	30	60
First preferences	62	74	33	35	
Admitted	58	60	59	34	51 (projected)
Surplus places	2	0	1	-4	9
Vacant places as a percentage	3.3	0	1.7	-6.67	15

21. I am satisfied that the sudden and unexpected decline in numbers at the school justifies a request to vary the PAN. I am also satisfied that the number of places in the planning area and the percentage of surplus places will satisfy parental preferences in the area.

22. I now turn to the number of children at the school and the reasons given by the school in support of the variation request. I am particularly concerned about the effect this might have on parental preference.

23. The request for the variation refers to the governing body's wish to align the school's staffing and budget to the reducing number of children. The provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) apply to the school, and they 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 schoolteacher, except in specific exceptional circumstances.

24. The school has provided me with information regarding the numbers of pupils in the classes up to July 2024 and how they are organised. This is shown in table 3.

Table 3: Organisation of classes

Year group	Number of children
YR	30
YR	29
Y1	28
Y1	30
Y2	29
Y2	29

25. For the academic year 2023-4 the school has been organised into six classes. I note if the PAN for YR in 2024 were to be reduced to 30 and the number of pupils allocated was at that number or below then the school would be able to plan its staffing and organisation on the basis that it will have no more than that number of children in YR. This would provide flexibility for the school in terms of class organisation and financial planning and would enable the school to organise YR pupils in one class. However, the latest figure provided by the local authority shows that 35 pupils have been allocated a place in YR for September 2024.

26. Governing bodies are able to admit pupils over the PAN if they wish and therefore admission of these children is acceptable in terms of the PAN if it is varied but it is not acceptable to teach this number in a class of over 30 pupils due to the infant class size regulations. I therefore asked the school how the pupils would be accommodated assuming that the number was over 30. The school responded that the intention is to maintain the two

classes in YR albeit with small numbers. If the numbers fall to 30 or below, then the school would consider amalgamating the two classes into one but only if the numbers would allow. The school expects that with the normal movement of pupils out of the school this will happen at some time within the pupils' three years in the school. The local authority is supportive of this suggestion as long as the school honours those offers over 30 which have already been made. The school confirms that this is the case. I am therefore satisfied that those parents who expressed a preference for the school for September 2024 have been offered a place at the school and the school will honour that number (currently standing at 35). This number will be accommodated by maintaining the two YR classes.

27. After consideration of all the factors above, I find that the variation is justified by the change in circumstances and I approve it for admissions in September 2024. The PAN for 2024 will be 30. I note that the PAN for admission in September 2025 remains at 60 as determined by the governing body.

Determination

28. 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 governing body of Crookham Church of England Infant School, Fleet, Hampshire for September 2024.

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

Dated: 13 August 2024

Signed:

Schools adjudicator: Ann Talboys