



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4382

Objectors: A member of the public and the governing body for Bonneville Primary School

Admission authority: London Borough of Lambeth for Bonneville Primary School

Date of decision: 22 October 2024

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2025.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by a member of the public (the objector) and the governing body for Bonneville Primary School to the admission arrangements for 2025 (the arrangements) for Bonneville Primary School (the school) determined by the London Borough of Lambeth (the local authority). The school is a community school for children aged three to eleven. The objection is that the consultation on changing the arrangements may not have met the requirements of the School Admissions Code (the Code); and to the reduction in the published admission number (PAN) from 60 to 45. The objector, the local authority and the governing body for the school (the governing body) are the parties to the objection.

Jurisdiction

2. The arrangements were determined under section 88C of the Act by the local authority on 14 February 2024. The objector and the governing body submitted their joint objection to these determined arrangements on 12 May 2024. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

Procedure

3. In considering this matter I have had regard to all relevant legislation and the Code. The documents I have considered in reaching my decision include:

- a. a copy of the minutes of the meeting of the local authority at which the arrangements were determined and a copy of the determined arrangements;
- b. the form of objection and accompanying letter from the governing body;
- c. further documents and information in response to my requests provided by the governing body;
- d. information provided in response to my requests from the local authority including a paper to the local authority Cabinet in November 2022 called, 'Review into Future Education Delivery in Lambeth 2022' (the 2022 paper) and information on the most recent consultation on the arrangements; and
- e. information available on the websites for the school and the Department for Education (DfE) including the website 'Get information about schools' (GIAS) and 'Find and compare schools in England' (the DfE website).

The Objection

4. The objection was made by a member of the public, who said, "Bonneville Primary School is not in favour of the reduction to its PAN". The governing body confirmed that it wanted the objection to be a joint objection, and I have proceeded on that understanding. The objection has been made on the following grounds:

- 1) The consultation, which preceded a reduction to the school's PAN, was inadequate and did not meet the requirements of the Code. Paragraphs 1.45 to 1.48 of the Code are therefore relevant.
- 2) The reduction of the PAN to 45 from 60 was not justified. The reasons given for this view were:
 - a. the reduction will negatively affect the educational standards at the school;
 - b. parental preference will be unduly frustrated;
 - c. the reduction does not take account of future demand for places; and
 - d. children not admitted to the school because of the reduced PAN will have to travel further to a school without a religious character.

5. The objection referred to paragraph 14 of the Code on the basis that the arrangements are said to be unfair. Paragraph 14 of the Code says, as far as relevant here,

"In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective."

6. Having considered the grounds for the objection, I have interpreted them as meaning that the arrangements are, in fact, unreasonable. The terms “fairness” and “reasonableness” each have distinct meaning but are often used interchangeably in common language. Normally, an allegation of unfairness would relate to an effective injustice to a particular group or individual, whereas reasonableness relates to the overall effect of the provision in question. In my view, what the objectors are actually asserting is that the reduction in the PAN will have adverse effects on an, as yet, unidentifiable group of children who will be unable to secure a place at the school and their families, and on the pupils already at the school who will be adversely affected by the lowering of educational standards. These factors render the decision to reduce the PAN a decision which no reasonable admission authority should have taken, having considered all of the factors I have listed in paragraph 2) a – d above. I therefore propose to consider this objection on the ground of unreasonableness, as opposed to unfairness.

7. Paragraph 1.3 of the Code applies. It says, as far as relevant here,

“For a community or voluntary controlled school, the local authority (as admission authority) **must** consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities **must** consult in accordance with paragraph 1.45 below where they propose a decrease to the PAN. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator **must** have regard when considering any such objection.”

Background

8. The school is situated in Clapham in south London. GIAS describes the school as being located in an “urban major conurbation”. The DfE website says that there are over 150 primary schools within three miles of the school and 19 within one mile. All distances are measured in straight lines.

9. Ofsted judged that the school was outstanding in May 2024. GIAS records that 37.9 per cent of the pupils at the school are eligible for free school meals and that the school has capacity for 420 pupils with 358 on roll.

10. The school is in a federation with two other schools in the local authority’s area, Stockwell and Jessop Primary Schools. There is one governing body for the three schools and an executive headteacher.

11. Paragraph 1.2 of the Code says, “As part of determining their admission arrangements, all admission authorities **must** set an admission number for each ‘relevant age group’. A footnote to paragraph 1.2 explains that the ‘relevant age group’ is the year group to which pupils are or will normally be admitted to the school. For Bonneville Primary School, the relevant age group is the reception year (YR).

Consideration of Case

The consultation

12. I will consider the consultation first. The relevant paragraphs of the Code are paragraphs 1.45 to 1.47 and the pertinent parts are provided below.

“1.45: When changes are proposed to admission arrangements, all admission authorities **must** consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year...”

1.46 Consultation **must** last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year.

1.47 Admission authorities **must** consult with:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.”

13. I asked the local authority what steps it had taken to meet these requirements. The local authority provided me with information about the ways in which it had previously consulted in response to reductions in the number of children in its primary schools. Consultations were undertaken related to changes to the authority’s admission arrangements for previous years which were largely around reductions in PANs for other schools. The local authority consulted on the proposed reduction in the PAN for the school for 2025. This relevant consultation ran from 13 December 2023 to 24 January 2024. The consultation therefore met the Code requirement to last a minimum of six weeks.

14. The local authority said that its approach to consultation was set out in the 2022 paper. The 2022 paper explained the context of a reduction in the number of children requiring a place at primary schools in the local authority’s area. Its recommendations included that officers:

“1. Engage directly with headteachers and governing boards whose schools have been identified to reduce PAN further from 2024 and consult on amalgamating identified schools from 2025 onwards.

2. Prepare and publish a public consultation document, with the PAN reductions decisions, later in the autumn 2022.”

15. The local authority confirmed that these actions had been “undertaken and fulfilled by the Director of Education & Learning.” I asked the governing body how the local authority consulted it. The governing body told me that it met the local authority, and made clear during that meeting that the governing body disagreed with the proposed reduction. I therefore understand that the governing body had not agreed to the reduction in the PAN proposed by the local authority but that this was not confirmed in writing. Furthermore the governing body said that,

“At no stage has the school agreed to this change with reasons that were presented to the Local Authority during meetings and with local councillors.”

16. The local authority provided a copy of a sample letter and confirmed that a version of this was sent to the school. The letter said,

“Dear Head Teacher and Chair of Governors

Re: Consultation to reduce Published Admission Number (PAN) from 2025 – 2026

We seek confirmation with regard to the reduction of the schools Published Admission Number (PAN) in line with the Local Authority recommendations set out in the Revised option D. As you are aware the proposal is part of a wider undertaking by the council to reduce PAN due to falling pupil population across the borough. As the local authority and admissions authority for Community schools in Lambeth we intend to consult on the proposed admissions arrangements and reduction of PAN for 2025, between Monday 27th November 2023 and Sunday 7th January 2024. We would like to coordinate where possible the publication of these consultations across the Borough. Therefore, request confirmation of whether the school agreed to the Revised option D and if agreed, provide confirmation of the intended dates of publication. The Local Authority consultation will go live on Monday 27th November 2023 and thus, do request a response no later than the close of school, Friday 24 November 2023.”

17. I have seen no response to this letter although I have asked all parties for information on the consultation on the reduction in PAN. In summary, it appears that the local authority met with the governing body to consult, and the governing body disagreed with the proposals. A letter from the local authority asking the governing body for confirmation that it supported the proposal received no response and the local authority went ahead and consulted more widely. The consultation was via an entry on the local authority’s website with the link, [Have your say on changes to some Lambeth Community](#)

link to the consultation leads to a section which says,

“Please see list of schools below who have agreed to reduce the number of Reception places:

School Name	No of Reception Places
Bonneville Primary School	45 (previously 60)
Stockwell Primary School	30 (previously 60)”

18. It could be argued that the local authority did consult with the governing body as it informed it of its proposal to reduce the school’s PAN. A consultation does not mean that the body undertaking the consultation cannot go ahead with a change because of a negative response to the proposed change. However, the evidence illustrates that the local authority misrepresented the response of the governing body in its consultation. This is a significant flaw in a consultation and would seem to indicate that the response made by the governing body was not heard or considered; these are additional flaws in a consultation.

19. I will now consider the wider aspects of consultation. The local authority said, in response to my enquires,

“Consultations are published on the LA website to ensure the information is publicly available to parent/carers and other persons in the relevant area (e.g. residents of Lambeth and neighbouring LAs), however, information is also sent out to other LA's, school governing body/governor/diocese and admission authorities by email. With further awareness raised by use of all media formats available to the LA via the LA's Communications team.”

20. Parents of children under the age of five living locally to the school are those most likely to have an interest in the PAN set at the school as it is their children who may be most directly affected. Paragraph 1.47a) of the Code says, as above,

“Admission authorities **must** consult with:

a) parents of children between the ages of two and eighteen”.

21. The local authority said that it consulted by putting the link on the local authority’s website and using social media. Of course, people are unlikely to look at the local authority’s website or social media unless they have reason for doing so, such as being alerted to a consultation that might be relevant to them. I asked the governing body if it was asked to bring the consultation to the attention of the parents of children at the school and the pre-school. The governing body said,

“The Local Authority requested that the school place it on the website.”

22. Clearly the school could have done more to draw the consultation to the notice of parents whose children might be affected if it had chosen to do so and, as described above,

placing information on a website has limited reach. The Chief Schools Adjudicator provided examples of good practice in her annual report to the Secretary of State in 2017, based on information provided by local authorities. In her report she said,

“Based on all I have seen, it seems to me that good consultation – whether by local authorities or schools – uses a number of different ways to reach those who may have an interest. It will include a prominent and simple message on the front page of the relevant website, backed up with more detailed information and use of print and social media. Examples of ways in which schools and local authorities have communicated about proposed changes include:

- a. asking (other) schools and early years settings (including childminders) to pass on information about the consultation to parents;
- b. articles in the local press including free papers sent to every household in the area, magazines/newsletters published by voluntary groups in an area, family information directories and child focused magazines;
- c. use of local radio and social media including Twitter and Facebook and online parent forums (one local authority described a parental networking group with over 3,000 members);
- d. seeking feedback and responses online as well as in paper form;
- e. posters in schools, stay and play session locations, supermarkets, doctors’ surgeries, children’s centres, health centres, places of worship and the 17 local authority’s own buildings;
- f. consultation meetings including drop in sessions targeting areas or groups which past experience showed were less likely to respond;
- g. use of personal contacts - talking to parents at the school gate or at parents evenings;
- h. asking local voluntary groups, parish councils and faith bodies to use their networks to pass on material and information; and
- i. direct emails to parents who have given permission and provided email addresses via their applications for admission in previous years; this had a high response rate.

I was disappointed, given these excellent examples of what can be - and is being – done to learn that nearly 30 local authorities thought that putting material on their website (which might be a committee paper and thus not at all designed with parents in mind) is sufficient consultation.”

23. I am of the view that the local authority putting its consultation on its website and asking the school to put the consultation on its own website, does not constitute meaningful

or effective consultation with parents of children between the ages of two and eighteen, and therefore fails to meet the requirement of paragraph 1.47a) of the Code.

24. I asked for the responses to the consultation and details of how these were considered. The local authority provided “Response to feedback received during consultation for 2025/26 policy”. This explained that eight responses had been received and seven were against the proposed reductions for the two schools (as provided above). It was not clear to me whether those who responded were against the proposed reductions in the PANs for both schools or for one particular school. The paper provided said that various reasons were given for not supporting the reduction in the PAN(s) but that given the low numbers and the evidence of reduced demand and many surplus places, a decision was made that the reductions in the PANs for both schools should go ahead.

25. In conclusion, parents were not effectively consulted, there was misrepresentation of the views of the governing body in the information circulated as part of the consultation, and the views provided by the governing body were not given any credence. I uphold the part of the objection that relates to the consultation.

The reduction in PAN

26. As referred to above, the objection was made on the following grounds: that the reduction in PAN will mean that the educational standards at the school will be negatively affected; parental preference will be frustrated; the forecasts do not take into consideration new housing developments; and that children will have to travel further to a secular school if unable to secure a place at the school. I will consider these aspects below.

27. The objection said that

“Reducing Bonneville’s PAN will inevitably make a two-form entry financially unviable and jeopardise its ability to maintain its outstanding provision... Bonneville has always been able to recruit significantly above 45 pupils and, in recent years, has always given out all 60 of its places and operated a waitlist (although acknowledging a one-off dip in reception numbers to 44 for the October 2023 school census). Furthermore, it can demonstrate that operating with a PAN of 60 is financially viable for years to come, even accounting for a potential 2.4% year-on-year reduction in pupil numbers based on school places accepted. As a result, the PAN reduction will cap its core funding by up to 25% and put it under unnecessary financial pressure.”

28. The governing body said in a letter with the objection,

“Bonneville is a highly successful school and a hub of the local community. Our children come from a wide range of socio-economic backgrounds, with a diverse set of educational needs, all of which are served with a fantastic educational experience in and beyond the classroom. With ever-tighter budgets and a government funding model of one teacher to every 30 pupils, it is clearly economically unviable to support two teacher-staffed classes a year on a PAN of 45. Vertical teaching, by which larger groups of children from different year groups are taught together, does not provide

the differentiation our children need nor the best possible quality of education they deserve, and would run counter to our current offer... Given the funding cap that a PAN of 45 constitutes for Bonneville, a school that has consistently attracted more than 45 pupils and where first and second-choice applications are increasing and expected to accelerate in the coming years, we strongly desire to retain our current PAN of 60 and have the capacity to do so.”

29. The governing body said, in response to my enquires, that,

“Following our recent Ofsted ‘Outstanding in all areas’ judgment in May 2024, we believe the opportunity for families to access our excellent educational provision should be maximised, as we have the capacity and desire to do so... With our recently published news regarding the quality of education on offer here, we feel strongly that a reduction in PAN would create an unnecessary waiting list for the local community and a funding cap for the school.”

30. The use of the term ‘funding cap’ may be misleading and I will pause to explore this. Schools are largely funded on the basis of pupil numbers and so the lower the number of pupils, the lower the funding made available to the school. This is not a cap but lower numbers, such as could be created by reducing the PAN to 45 from 60, would reduce the amount of funding the school receives and therefore the resources available.

31. The school, together with any school admitting children to YR, is one subject to 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 governing body explained that its class organisation was based on two classes to a year group and so there are 14 classes in the school. A PAN of 45 is likely to mean that a maximum of 45 children would be admitted. The school would therefore need to have either classes of around 22 pupils, which is unlikely to be financially efficient if implemented across a school, or mixed year groups. For example, 45 pupils in year 1 (Y1) and 45 pupils in year 2 (Y2) could combine to create 90 pupils in three classes of 30 pupils each. This would be a financially efficient model and is used successfully by many schools. It would, however, need a different curriculum model and is not always well received by parents or school staff.

32. The school argues that the high standards of education it provides, as evidenced by its recent Ofsted inspection, are underpinned by its class organisation and curriculum model. The Ofsted report, published in June 2024, starts as follows,

“This extraordinary school places the community at the heart of its values. The school’s actions consistently aim for excellence. Its success is rooted in the high-quality curriculum design and delivery, resulting in pupils’ exceptional learning experiences, enjoyment and strong achievement. The curriculum is deliberately set out and implemented with fine attention to detail. Teaching activities are carefully chosen to enable pupils to flourish. Pupils behave exceptionally well, leading to a

calm and purposeful atmosphere throughout the school. The school is highly inclusive, with dedicated and committed staff. They ensure that pupils succeed and thrive, irrespective of their background or context... A major feature of the school's success is its curriculum. In all areas of learning, including those in early years, leaders have identified the important knowledge and skills that pupils need to learn and remember. This is logically sequenced so that pupils return to, practise and embed important concepts. This allows them to apply and connect their learning across the curriculum and build a depth of knowledge and understanding."

33. I can understand why the governing body would seek to retain the existing curriculum model that is judged to be so successful for the pupils at the school. I can also understand that the governing body might consider that there will be higher levels of parental preference as an outcome of its recent Ofsted report.

34. The local authority has to consider the wider context. In seeking to lower PANs, the local authority is trying to manage an overall reduction in demand for primary school places within its area. The 2022 paper identified educational risks and provided options for ways forward. That paper said,

"The appraisal outlines in detail, options to manage the fall in pupil numbers so that schools are strong and sustainable, providing an excellent education; attracting high quality staff and leaders; and remaining financially viable. Falling pupil numbers put all these at risk as schools and settings are funded based on the number of pupils that they have. Current forecasts suggest that having fallen, the birth rate will now remain stable at the same level for the next 10-15 years...

An oversupply of places in schools can lead to financial and organisational inefficiency and can be challenging for individual schools to manage. Primary schools organise their classes into groups of no more than 30 (30 pupils = 1 Form of Entry = 1FE). If a school has formally made 60 places available but there are only 35 applications, there would still need to be two classes and two teachers, but income will only be provided for the 35 pupils. If the number of places available is formally reduced to 30 then the school can reduce their costs. In the short term, falling rolls and a decrease in casual admissions will impact on school budgets and the sustainability of small schools."

35. The local authority concluded that it was necessary to reduce the PAN at the school in order to sustain its educational effectiveness and that of the other schools in the area.

36. I will now consider the demand for places in YR in the area of the school. Local authorities have a duty to make sure that there are sufficient school places for the children in their areas. This requires them to assess capacity and forecast demand. Most local authorities use geographical areas containing schools, known as planning areas, for this purpose. Data for the planning areas can only provide indications however, as parents will prefer schools for a variety of reasons including convenience, family connections and reputation. They will not necessarily apply for places at schools within the planning area in which they live. Demand becomes particularly complicated to forecast in a dense urban

area such as Lambeth, with other local authority areas and many schools within close proximity.

37. The local authority told me that the planning area it uses for the school has 13 primary schools within it. I have summarised the information provided to me about the planning area in table 1 below.

Table 1: the number of places in YR in the planning area, information on demand and forecast demand

	2023	2024	2025	2026	2027
Sum of the PANs	525	480	465	N/A	N/A
The sum of first preferences	384	369	N/A	N/A	N/A
Number of pupils admitted or expected	416	410	410	417	382
Sum of PANs minus the number of pupils admitted (2023 and 2024) or the number forecast to require a place (2025)	109	70	55	N/A	N/A

38. From 2023 to 2024 the PANs for each of three schools in the planning area were reduced by 15, resulting in 45 fewer places overall. Table 1 uses the PAN of 45 for the school for 2025, resulting in a reduction of 15 places in the planning area from 2024. The forecast of the proportion of vacant pupil places for 2025 is therefore around 12 per cent. If the PAN for the school were to be 60, as sought by the objectors, then the proportion of vacant places would be around 17 per cent, which is a high percentage. The local authority seeks to have between five and ten per cent of places vacant.

39. Part of the objection was that the local authority has not taken into account the impact of planned housing developments in the area. The local authority has assured me that it has taken into these into account, and I know that most local authorities have sophisticated models for forecasts. I will therefore assume that the forecasts are as accurate as reasonably possible given the many factors that can affect population forecasts.

40. Overall, the data show a reduction in demand, from 416 pupils in 2023 to 382 for 2027, which would be a reduction of 34 places or just above one form of entry (assuming 30 children to a form of entry). The reduction in pupil numbers between those admitted in 2023 and the forecast for 2025 is six places. This is not a significant reduction. I also note that the local authority believed in 2022 that the birth rate had stabilised.

41. It is noticeable when looking at the figures for individual schools within the planning area that some have low numbers of first preferences and admissions, one as low as seven places allocated. Other schools have much higher numbers. I will consider this aspect further, below. Now I will consider demand for places at the school in YR and this information is provided in table 2.

Table 2: demand for places at the school in YR

	2023	2024
PAN for the school	60	60
Number of first preferences	35	40
Number of admissions	44	56
Number of vacant places	16	7

42. In 2023, a PAN of 45 would have been sufficient to meet the demand for places at the school, but if the PAN had been 45 in 2024 then 11 fewer children would have been admitted. The number of first preferences is only one indication of demand. Parents can make up to six preferences and their child will be offered a place for the school which is the highest preference which can be met. For admissions in 2024, I can assume that parental preference would have been frustrated if the PAN had been 45 and not 60.

43. The numbers of children in each of the seven year groups at the school, and the numbers in each of the two classes within those year groups, are provided below in table 3.

Table 3: pupil numbers (year groups and classes) provided 5 September 2024

	Number of children	Number of children in class	Number of children in class
YR	56	28	28
Y1	40	19	21
Y2	56	28	28
Y3	49	25	24
Y4	47	24	23
Y5	53	26	27
Y6	40	21	19

44. My jurisdiction is for 2025 and so it is the future forecasts that are most relevant. However, I note that the current YR is nearly 60 and the largest year group in the school together with Y2; and that Y1 and Y6 are the smallest year groups with 40 children each and so below the proposed PAN of 45. The school has chosen to continue with small classes, as small as 19, to maintain its curriculum model. Having said that, the variable numbers in each year group currently would not lend themselves to mixed aged classes. In other words, combining YR and Y1 (or Y1 and Y2) would make 96 children (56 and 40) and so not make possible three classes of no more than 30 pupils each.

45. The school could combine year groups to form mixed aged classes from Y3 to Y6, as these year groups are not subject to the Infant Class Size Regulations, but has not chosen to do so. The governing body has raised no financial concerns if the PAN were to remain at 60 but has financial concerns with a PAN of 45. This is because the school wishes to retain its single year classes. As the years passed with a PAN of 45 and began to affect, in due course, all year groups, the current curriculum model would become unaffordable.

46. I will turn now to the forecasts. As I have explained above, I accept that these are as accurate as is possible in this urban area. As shown in table 1, the forecasts are 410 for

2025 (the same number as 2024), 417 for 2026 (higher than 2023 or 2024) and 382 for 2027 (a significant reduction from all previous years considered). If previous patterns continued therefore, it could be anticipated that a similar number of children would be admitted to the school in 2025 as in 2024, and possibly a small increase for 2026. The very positive Ofsted report is unlikely to cause any reduction in demand for the school, possibly the contrary.

47. In terms of parental preference, there are only 40 children in the current Y1 (YR in 2023). However, 56 children were admitted in 2024 and similar numbers of children are expected to need a place in YR in the planning area in 2025. Therefore, based on the local authority's forecasts and given no evidence of reduced demand for the school, it seems likely that more than 45 parents would prefer the school for their child in 2025. I therefore believe that if the PAN were to stay at 45, then parental preference would be frustrated.

48. The local authority is of the view that, as there are plenty of places locally, this frustration of parental preference is not a concern. I am also given the impression that the local authority believes that if the PAN remains at 45, then any disappointed parents would take their children to other local schools to the benefit of the financial health of those schools. Or, to put it another way, the PAN has been reduced so that children have to go to other schools and those other schools (and the children who attend them) benefit. I do not think that this is reasonable.

49. This brings me to the last point made in the objection, that is that a PAN of 45 means that children would have to travel further to attend a secular school. As described above, there are 25 schools which admit children to YR within one mile of the school, including the school. Five of these 25 schools are in the local authority area of Wandsworth Council and I have little data on them for that reason, except that two of these five schools are faith schools. Ten of the 25 schools within one mile of the school are also faith schools of some kind, eight of which are in the local authority area. Parents prefer schools for all sorts of reasons and faith can be one of the factors they consider.

50. As established above, the forecast number of children in the planning area requiring a place for 2025 is similar to the number admitted in 2024. It is therefore relevant to look at the data for 2024 and consider that there may be a similar pattern in 2025. I looked at the number of offers made for 2024 for each school within one mile of the school in order to determine where there may be vacant places. There were eight schools with more than two vacant places, some with considerably more. Of these eight schools, six were faith schools, which means that there are certainly two secular schools with vacant places within one mile of the school. There is therefore some evidence that children refused a place at the school if the PAN remained at 45, would have a limited choice of schools without a religious character but I am not convinced that this is a significant problem. This is because there are many schools within short distances of each other, including schools without religious characters and with vacant places. On the other hand, I do not think it is acceptable, when the school provides a high quality of education, parents want their children to go there and the school is able to admit them, to reduce the PAN to force parents to take children to other schools so that the numbers at the other schools are more financially healthy.

51. The governing body has raised valid concerns that the high quality of education at the school would be negatively affected if the PAN were to remain at 45. A PAN of 45 will either cause financial difficulties for the school if it wishes to maintain its existing curriculum model, which has been demonstrated as influential in achieving an ‘Outstanding’ rating by Ofsted, or force the school to abandon this model. Furthermore, it will result in frustration of parental preference. I note that the local authority’s rationale for the reduction does not take into account the likelihood of an increased demand for places at the school following the recent Ofsted report, which was published after the arrangements were determined.

52. I am also conscious that paragraph 1.3 of the Code says (as above),

“Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator **must** have regard when considering any such objection.”

53. In summary then, I find that the school’s education standards are likely to be affected adversely by a reduction in the PAN to 45. I also find that parental preference is likely to be frustrated. I do not find that the local authority failed to take into account effects of planned housing developments; or that it is likely that children will need to travel further to another school if they are unable to secure a place at the school; or that such children will be unable to secure places at an alternative secular primary school. My overall conclusion, however, is that I do not find the reasons given by the local authority for reducing the PAN of the school to 45 to be sufficiently robust. I uphold this aspect of the objection on the grounds that, having taken into account all relevant circumstances, the PAN which has been set for the school is unreasonable .

Summary of Findings

54. The evidence shows that the consultation did not meet the requirements of the Code and that setting the PAN at 45 was unreasonable. I uphold the objection.

Determination

55. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2025.

Dated: 22 October 2024

Signed:

Schools Adjudicator: Deborah Pritchard