



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2502

Admission authority: Trafford Council for Oldfield Brow Primary School,
Altrincham, Cheshire

Date of decision: 1 November 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 Trafford Council for Oldfield Brow Primary School for September 2025.

I determine that the published admission number for admissions to reception year in 2025/26 shall be 30.

The referral

1. Trafford Council (the local authority) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2025 for Oldfield Brow Primary School (the school) to the adjudicator. The school is a community school for children aged three to eleven in Altrincham, Cheshire, and the local authority is the admission authority for the school.
2. The proposed variation is that the published admission number (PAN) be reduced from 60 to 30 for admissions to reception year (YR) in 2025/26.

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. I have been provided with confirmation that the appropriate bodies have been notified and that the proposed variation has the support of the school’s governing body. 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 local authority dated 9 September 2024, supporting documents and further information provided at my request;
 - b. the determined arrangements for 2025 and the proposed variation to those arrangements;
 - c. a map showing the location of the school and other relevant schools; and
 - d. information available on the websites of the local authority, the school and the Department for Education.

The proposed variations

7. It is proposed to reduce the PAN from 60 to 30 for entry to YR in 2025/26.
8. 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.

Consideration of proposed variation

9. 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. I note here that the arrangements for September 2026 have not yet been determined, and so if the proposed variation for 2025/26 were to be approved, the PAN for 2026/27 could be set at 30 by the local authority without objection save from the governing body of the school.

10. The major change in circumstances relied upon by the local authority is set out in the referral, which states:

“A reduction in provision of school places in several schools in Trafford will be consulted on in the autumn term as part of the determination of the admission arrangements for 2026, across different types of schools in the area. The local authority is working collaboratively with governing bodies, diocese and academy trusts in its area to codesign the approach. The required reduction is driven by the reducing birth rate and changes in levels of inbound migration which has always been a significant factor in pupil place planning in this area. In recent months, Trafford has started to see a significant reduction of inbound migration, linked to cost of living factors, with outbound migration between birth and age four seen in some areas for the first time. This same issue is being experienced in other local authorities in our region who share similar demographics, with cost-of-living factors driving out-migration from more affluent boroughs.

Due to the accelerated rate of change, there is now an overprovision of school places in reception year which is impacting school budgets. The future demand for places in the Altrincham planning area is expected to further decrease.

The PAN of 60 is not financially viable when the demand for places is less than 30. The request is being made in order that we can change our school organisation to a single form of entry to protect our financial viability.

The school is facing [the] combined impact of reduced admissions and decreased funding. This situation could not have been foreseen, otherwise we would have used the usual consultation period. The quicker the changes can be made, the less the negative financial impact on the school. This is why we are asking for these changes for 2025 rather than waiting for a consultation period.

The reduction of the schools [sic] PAN to 30 will safeguard the school from needing to open two reception classes should the number of allocations exceed 30. This will support the school in ensuring that it can remain financially viable by safeguarding against the need to open two smaller classes in order to comply with the infant class size limitations.

In the 2023 reception cohort, 36 children were admitted to the reception year. In 2024, this dropped to 20 meaning we did not need the two forms of entry in reception, resulting in the requirement for a staffing restructure. There are currently 246 reception vacancies in the Altrincham planning area, giving a vacancy rate of

26%. The proposed variation will therefore not result in parental preference being frustrated.”

11. I have accordingly 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 2025/26 and beyond. I have also considered the demand for places at the school, the reasons given for the changes in demand, the potential effect on parental preference of the proposed PAN reduction and whether the proposed reduction is justified taking into account all relevant circumstances.

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. The school sits within the Altrincham planning area.

13. The local authority has provided me with the following relevant data regarding admissions to Altrincham planning area schools, together with forecasts for 2025/26 and 2026/27.

Table 1: Number of children admitted, or forecasted to be admitted, to YR at Altrincham schools

| | 2022/23 (admitted) | 2023/24 (admitted) | 2024/25 (admitted) | 2025/26 (forecast) | 2026/27 (forecast) |
|--|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Number of children | 790 | 734 | 719 | 726 | 615 |
| Sum of PANs for YR | 965 | 980 | 965 | 965 | 910 ¹ |
| Vacant places | 175 | 246 | 246 | 239 | 295 |
| Sum of PANs for YR, if proposed variation is approved | | | | 925 ² | 910 |
| Vacant places, if proposed variation is approved | | | | 199 | 295 |
| Ditto, as a percentage | | | | 22% | 32% |

¹ This figure includes planned reductions to PANs in 2026 at Oldfield Brow (from 60 to 30), at the school in VAR2503 (see footnote 2) (from 70 to 60), and at one other school (from 60 to 45)

² The local authority has submitted a proposal for a variation (VAR2503) to the PAN for 2025/26 for another school in the planning area. This would lead to a further reduction of 10 places and I have factored this into the data analysis.

14. From the above data, I am satisfied that a reduction of the school's PAN to 30 for 2025/26 would leave sufficient places in the local planning area for children who live within a reasonable distance of the school and whose parents are seeking a place for their child to be admitted to YR in 2025/26. If the proposed variation were approved, it would be possible for the local authority to determine a PAN of 30 for the following year without consultation. I am also satisfied that a PAN of 30 for 2026 would not lead to a shortage of places in the local planning area in 2026/27.

15. I now turn to the number of children at the school and the reasons given by the school in support of the variation request. There are currently 20 children in YR and the local authority tells me that there were 21 first preferences for the school in 2024. There are 38 children in Y1, and for that year of entry there were only 31 first preferences expressed for the school. The local authority does not forecast demand for places at school level, but I am satisfied from the information provided that there is no clear evidence to show that a PAN of 30 will lead to significant frustration of parental preference for the school in either 2025 or 2026.

16. The request for the variation refers to the governing body's wish to align its staffing and budget to the reducing number of children. The provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 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 school teacher, except in specific exceptional circumstances.

17. If I approve the proposed variation for 2025/26, then the school will be able to plan for certainty on the basis that in September 2025 it will need staffing for only one class in YR. It will also be reassured that there will be no possibility of having to reorganise mid-year due to any in-year admissions to YR in 2025/26 that would take the total number of children above 30.

18. After consideration of the factors above, and taking into account the relevant circumstances, I find that the variation is justified, and I approve it. The PAN for 2025/26 will be 30.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Trafford Council for Oldfield Brow Primary School for September 2025.

20. I determine that the published admission number for admissions to reception year in 2025/26 shall be 30.

Dated:

1 November 2024

Signed:

Schools adjudicator: Clive Sentance