



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2509

**Admission authority:** Buckinghamshire County Council for Naphill and Walters Ash School near High Wycombe

**Date of decision:** 5 December 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 Buckinghamshire County Council for Naphill and Walters Ash School for September 2025.

I determine that the published admission number shall be 30.

## The referral

1. Buckinghamshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2025 (the arrangements) for Naphill and Walters Ash School (the school) to the adjudicator. The school is a community school for children aged four to eleven in the village of Walters Ash near High Wycombe. The village of Walters Ash is alongside the village of Naphill and both are located to the north west of High Wycombe.
2. The proposed variation is that the published admission number (PAN) be reduced from 45 to 30 for admissions in 2025.

## 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. The information I have considered in reaching my decision includes:

- a. the referral from the local authority dated 31 October 2024, supporting documents and further information provided at my request including maps of local primary schools and the home locations of children in the current reception year (YR) and year 1 (Y1) at the school;
- b. the determined arrangements for 2025 and the proposed variation to those arrangements;
- c. comments on the proposed variation by the governing body for the school and further information provided at my request;
- d. information available on the websites of the local authority, the school and the Department for Education (the DfE) including information available on the DfE websites, ‘Get information about schools’ (GIAS) and ‘Compare school and college performance in England’ (the DfE website).

## The proposed variation

6. The local authority said in its request for the variation that the PAN for the school was reduced from 60 to 45 for admissions in 2023 but pupil numbers continued to reduce and the school now has a financial deficit as a result. The local authority wishes to reduce the PAN to 30, a reduction supported by the governing body, for 2025, in order for the governing body to address the deficit. The school is often used by service families and there were 80 pupils from service families at the school as of 18 November 2024 (out of a total cohort of 274). Previously, there were many more pupils from service families, but the RAF policy has changed and the school now has fewer pupils with a service background.

7. 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 reception year (YR), year 1 (Y1) and year 2 (Y2). Year 3 (Y3), year 4 (Y4), year 5 (Y5) and year 6 (Y6) are not affected.

8. As schools are largely funded based on the number of pupils on their rolls, it is more attractive financially for primary schools to have classes of 30 or near to 30. Classes that are significantly smaller than 30 can create economic strain upon a school. A PAN of 45 means that a school can combine two year groups to potentially create 90 pupils who can be taught in three classes of 30.

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.

11. My first consideration is whether there would be sufficient school places in the area if the PAN were to be reduced to 30 for 2025. The local authority did not provide specific data on the planning area as it said,

“We typically plan school places at a planning area level, and we forecast we will have to have surplus spaces in Reception in the Wycombe West planning area for the next 5 years. However, planning areas are less appropriate when looking at Naphill, as the school sits in a village close to the boundary of several planning areas, and its nearest alternative schools are in a number of different planning areas, while its own planning area is rural and some of the schools in it are a considerable distance away. We have therefore considered the matter on a school level basis to ensure children would have a sensible alternative school in the event of any oversubscription issues.”

12. The DfE website shows one school that admits children to YR within one mile of the school with a further nine within three miles and so ten schools in total within three miles. All distances are in straight lines and walking and travelling distances will be further. The maps

provided by the local authority illustrates that the school is in a largely rural area with several villages with schools. The town of High Wycombe, which has 16 primary schools, is nearby. The local authority further explained that a catchment area was used in the oversubscription criteria for the school. While the school has not been oversubscribed for some time, the local authority has used the number of children living in the catchment area as an indication of local demand. The local authority said,

“Naphill has only once in the last 6 years admitted more than 30 catchment pupils. Given the general fall in population across the Wycombe district, we therefore expect that, even with the PAN reduced to 30, Naphill and Walters Ash will still be able to offer a place to all catchment children who want one.”

13. However, it is apparent that there is demand for the school from those who live outside of the catchment area. The local authority explained that the number of children who live outside of the catchment area has “typically been around 13 for the past three years.” It is clear that the local authority does expect that some parents will be disappointed that their children will not be admitted to the school if the PAN is reduced to 30. The local authority is, however, confident that there are school places closer to these children’s homes as there are vacant places at schools in the surrounding area.

14. The local authority provided me with a map showing the home locations of the pupils currently in YR and Y1. The map shows the majority of the pupils coming from the two villages of Walters Ash and Naphill and then a scattering of addresses with some children clearly travelling a considerable distance to attend the school. Approaching half of the pupils in YR and Y1 who live outside the catchment area live in High Wycombe. I accept the local authority’s analysis that those children who live outside the catchment area for the school are likely to be able to attend a school nearer to their home if the PAN for the school were to be reduced to 30. However, families prefer schools for a variety of reasons including convenience and family connections and it is likely that if the PAN were to be reduced to 30 then parental preference would be frustrated.

15. I will now look at the situation for the school and why the governing body supports a reduction in PAN. Table 1 below shows the demand for the school and admissions in recent years.

**Table 1: demand for the school and admissions**

	2022	2023	2024
<b>The PAN for the school</b>	60	45	45
<b>The number of first preferences</b>	34	38	31
<b>Number of children in YR for the October census or allocated for 2024</b>	43	38	35
<b>Number of vacant places</b>	17	7	10

16. A first preference is the school a parent most wants their child to attend. The comparison of first preferences with the number of admissions indicates that for admissions

in 2022 and 2024, the school was the highest preference that could be met (in this area, parents can make up to six preferences). The school's 274 pupils (as on 18 November 2024) are divided into 11 classes. The majority of these classes contain more than one year group and are known as mixed age classes. The number of pupils by year group are:

- YR: 35
- Y1: 42
- Y2: 33
- Y3: 40
- Y4: 36
- Y5: 44
- Y6: 44

17. Generally the year groups have reduced in numbers since the current Y6 children were admitted. As described above, the school is one that is subject to the infant class size regulations. The numbers in the year groups vary between 33 and 44 which may create, even with mixed aged classes, challenges in terms of class organisation and curriculum planning. The 11 classes are arranged as:

- YR: two classes, one with 18 pupils and the other with 17 pupils
- Y1 and Y2: three classes, each with 25 pupils
- Y3 and Y4: three classes, two with 25 pupils each and one with 26
- Y5 and Y6: three classes, two with 29 pupils each and with 30

18. The older year groups, such as Y5 and Y6, form financially efficient class sizes at 30 or near to 30 pupils. The YR year group with 17 or 18 to a class will be much less financially efficient. I will, therefore, now consider the financial situation for the school. Schools need to have effective finances so that they can provide good quality education to their pupils. In the application, the school described some of the difficulties created by the current numbers which it describes as insufficient for a model based on a PAN of 45 where there are fewer than 45 children to a year group. A PAN of 30 is likely to lead to more efficient class organisation with attendant benefits for costs as staff are the largest cost to any school budget.

19. The school had an overspend for the 2023 – 2024 financial year which was around £76,000. Part of this was met by funds held from previous years, leaving an overall deficit of over £42,000 which must be addressed. This deficit is expected to increase to over

£100,000 by the end of the 2024 – 2025 financial year. If the PAN for the school were to be 30, the deficit would slowly start to reduce from the 2025 – 2026 financial year.

20. I have considered the information provided to me. In summary, the main factors are:
- a) It is likely that there will be some frustration of parental preference if the PAN is reduced to 30.
  - b) There are sufficient places for those children likely to be refused a place nearer to the children’s homes if the PAN is reduced to 30.
  - c) The school has a financial deficit which can be addressed by reducing the PAN to 30. If the financial deficit is not addressed by these means then there is likely to be an adverse impact on the quality of the education provided by the school for those children attending it.
21. Given these factors, I find that the variation is justified by the circumstances and I approve the proposed variation.

## **Determination**

22. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Buckinghamshire County Council for Naphill and Walters Ash School for September 2025.
23. I determine that the published admission number shall be 30.

Dated: 5 December 2024

Signed:

Schools adjudicator: Deborah Pritchard