



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2519

**Admission authority:** The London Borough of Merton for Raynes Park High School, London

**Date of decision:** 8 January 2025

## Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Merton for Raynes Park High School for September 2024 and September 2025.

**I determine that the published admission number for 2024 will be 210.**

**I determine that the published admission number for 2025 will be 180.**

## The referral

1. The London Borough of Merton (the local authority) has referred proposals for variations to the admission arrangements (the arrangements) of Raynes Park High School for September 2024 and September 2025 to the adjudicator. The school is a community secondary school for pupils aged eleven to nineteen on Bushey Road, southwest London.
2. The proposed variations are that the published admission number (PAN) for admissions to Year 7 be reduced from 240 to 210 in 2024, and from 240 to 180 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 find that the appropriate procedures were followed, and I am satisfied that the proposed variations are 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 20 November 2024, supporting documents and further information provided at my request;
- b. the determined arrangements for 2024 and 2025, and evidence of their determination;
- c. the proposed variations to the arrangements;
- d. comments on the proposed variations from the school; and
- e. information available on the websites of the local authority, the school and the Department for Education (DfE).

## The proposed variation

7. It is proposed to reduce the PAN for entry to Year 7 from 240 to 210 for 2024, and from 240 to 180 for 2025. The proposed variations have the support of the school.

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 in 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 variations are properly scrutinised.

10. 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 for which arrangements have not yet been determined. Consequently, if a proposal to reduce the PAN for 2025 is approved and the arrangements for 2026 have not yet been determined (which is the case for the school), the admission authority may set future PANs (that is, for admission in September 2026 and beyond) at the reduced figure without any requirement for consultation. I note that the local authority has stated its intention to consult on the arrangements for the school for 2026, irrespective of the outcome of these variation proposals.

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

“Raynes Park is an eight form (240 place) community secondary school. The school has historically struggled to fill all 240 places on Offer Day. Over the last five years, the on roll numbers in Year 7 as at the October census have been as follows:

2019/20 - 227  
2020/21 – 208  
2021/22 – 201  
2022/23 – 219  
2023/24 – 197

As of 3 October 2024 (census day), Raynes Park only has 183 pupils on roll in Year 7.

Forecasts for Merton indicate the demand for Year 7 places will continue to reduce . . . The data confirms that there is no evidence of a recovery that would enable the school to continue to run as an eight form entry school with all 240 places being filled each year. The school has only admitted above 210 once in the last four years. Evidence for the last four years, combined with the October 2024 position, highlights the school has effectively been operating as a seven form entry school. Further reductions in demand . . . will make it unlikely the school will fill even with a reduced PAN of 210. In order to address the forecast falling demand for Year 7 places, a reduction of two forms of entry is required. This will address both the falling demand for places at Raynes Park specifically, and the drop in demand more generally across Merton.

The council’s place planning strategy published in September 2023 and updated in September 2024 recognises the need to begin a process of addressing the smaller numbers moving through from primary schools, and the drop in demand that will

result. Secondary heads were notified at a meeting in November 2023 of the intention to begin a process of rationalising the secondary capacity from September 2025 onwards. Following discussions with Raynes Park, the proposal for their reduction was raised with secondary heads at a meeting on 20 June 2024. No objections to the principal (sic) of Raynes Park reducing were raised. The other heads were supportive of the need for Raynes Park to make changes to support their financial position.

Prior to the place planning strategy released in September 2023, Raynes Park's surplus places were viewed as part of the borough's strategy for ensuring sufficient capacity to cater for potential new in year joiners. It is now clear that the school's PAN can be reduced without risking a lack of capacity . . . Such a step will provide the school with a more stable admission position in Year 7, will help address the school's financial position while also meeting the need outlined in the place planning strategy to rationalise capacity in the face of falling demand.

The proposal is a phased approach to reducing the school's PAN. A request to formally reduce the PAN for September 2024 to 210 will have no impact on current numbers while still providing the LA with capacity to place new arrivals. A further reduction of the PAN to 180 from September 2025 will recognise the further reduction in demand and provide stability for the school."

12. The referral also stated:

"Running Raynes Park with a yearly entry total far below the published figure of 240 places significant strains on the school in terms of timetabling, stability and finances."

13. 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 PANs are reduced as the local authority proposes. I have also considered the demand for places at the school, the reasons given for any changes in demand, the potential effect on parental preference and whether the changes are justified, taking into account all relevant circumstances.

14. 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. I have considered the data that the local authority has provided for its area, in which there are nine schools (including the school) which admit pupils to Year 7. Table 1, below, shows: the sum of the PANs at those schools; the number of children admitted to them in each of 2022, 2023 and 2024; and the number forecast to require a place in each of 2025, 2026 and 2027. Table 1 also demonstrates the effect on surplus places of reducing the PAN of the school as has been proposed. I note here that the forecast data provided to me included figures from different modelling systems; I have used the highest figure available for each year in question.

**Table 1: School places in the planning area, and the number of children admitted, or forecast to require a place**

	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>Number of places in Year 7 in schools in the planning area (with a PAN of 240 for the school)</b>	1909	1909	1909	1909	1909	1909
<b>Number of children on roll at the October census (2022 – 2024) or forecast to require a place (2025 – 2027)</b>	1863	1862	1853	1816	1765	1772
<b>Vacant places</b>	46	47	56	93	144	137
<b>Vacant places as a percentage of total places</b>	2.4	2.5	2.9	4.9	7.5	7.2
<b>Number of places in Year 7 if variations approved (with a PAN at the school of 210 in 2024 and 180 from 2025 onwards)</b>			1879	1849	1849	1849
<b>Vacant places if variations approved</b>			26	33	84	77
<b>Vacant places as a percentage of total places if variations approved</b>			1.38	1.8	4.5	4.2

15. The DfE document, “Basic need allocations 2025-26: Explanatory note on methodology”, refers to the need for two per cent surplus capacity “to provide an operating margin for local authorities. This helps to support parental choice, pupil population movement, and general manageability of the system”. From the data in table 1, I note that the proportion of vacant places in the area would, according to the forecasts, be below this percentage if I agree the proposed variation for 2024.

16. The local authority provided its data to me in November 2024; that is, at a point at which it is likely that most children within the area who require a place in Year 7 for the current year will already be on roll at a Merton school. However, there may be additional children who will require a place before the end of the year, for example any who move into the area. I have therefore considered whether there would be sufficient places for such pupils, noting that, at the time at which the proposals were submitted, there were waiting lists for entry to Year 7 at all the secondary schools in the area other than the school. I raised this matter with the local authority, which stated:

“With regards the Year 7 waiting lists for the other Merton secondary schools, these will predominantly be pupils placed in other schools and therefore not out of education.

Merton operates a co-ordinated application system for all in year applications. Any applicant wishing to apply for a Merton school does so via the council’s application form. In this way, we are aware of all new arrivals in the borough requiring a place. Where a new application for Year 7 is received for a Merton resident who is out of education, a place will be allocated for them at a school with a vacancy (most likely Raynes Park at the present time) should the preference school/schools be unable to offer.

Due to on roll movement, a total of 23 Year 7 in year offers have been made so far into Merton schools. Only three of these have been allocated to Raynes Park. Last academic year, 52 in year allocations were made for Year 7. Of those, 12 went on roll at Raynes Park. The year before, 45 in year allocations were made for Year 7 with 11 of these going to Raynes Park.

Movement off roll is commonly seen in our secondary schools causing places to become available. The numbers on waiting lists generally reduce significantly when the lists close at the end of December. With average movement, and with the places already available at Raynes Park, we are confident that there is sufficient capacity to meet in year demand for Year 7 should Raynes Park’s capacity be reduced from 240 to 210.

The likelihood of all other schools being full to capacity for the rest of the academic year, and Raynes Park filling to 210, is unfortunately remote. Should such a situation occur, further allocations for Merton pupils out of education would still be made via the borough’s fair access process. Schools would be asked to exceed PAN to accommodate extra cases. Merton secondary schools have already indicated a willingness to do this should the situation arise in order to support Raynes Park.

If we use last year’s full total for Year 7 placements of 52, and the total so far this year of 23, we could expect a further 30 placements to be made by the end of July 2025. Even if nearly all of these were placed at Raynes Park, there would still be capacity to achieve this if the school had a PAN of 210. Given Raynes Park took just under 25% of Year 7 allocations last year, it is more likely to assume that they would receive a further 8 to 10 Year 7 cases this academic year with the remainder being allocated to other schools from waiting lists or as vacancies arise.”

17. I find the explanation of the local authority, and the figures regarding in-year admissions, to be persuasive. I am satisfied that, if the PAN of the school were to be reduced to 210 for 2024, there would be sufficient places left in the area for any children who might be seeking a Year 7 place. I am also satisfied that, in the seemingly unlikely event that more places were required than the surplus shown in table 1, the local authority

would, using the processes it has outlined, be able to address that situation satisfactorily. I note here that the local authority is the admission authority for three secondary schools in its area, including the school. Although it has referred to schools being “asked to exceed PAN to accommodate extra cases” it is the local authority which is responsible for admissions to those schools and the authority itself could therefore decide to admit pupils to them above the level of the PANs.

18. I will now consider the data for 2025. Table 1 shows that if the PAN were reduced as proposed there would, according to the forecast of demand, be 33 surplus places in the local authority area. This is equivalent to 1.8 per cent; close to, although slightly below, the operating margin of two per cent recommended by the DfE. I note that the data was provided after the closing date for secondary applications for 2025, enabling the local authority to forecast demand for that year with a greater degree of confidence than may have been the case earlier in the admissions process. The DfE’s suggested operating margin is useful but, as is often the case with data, cannot always be used as an absolute. If there were, say, 37 surplus places then this would equal a two per cent surplus. In other words, only four more surplus places would bring the operating margin within the DfE recommendation. This small difference, together with a detailed explanation provided by the local authority of its approach to forecasting demand for school places, satisfies me that if the PAN of the school were to be reduced to 180 for 2025, there would be sufficient places available in the area for any children who might be seeking a Year 7 place. I also note that the proportion of surplus places forecast for 2026 and 2027 is at least double that recommended by the DfE.

19. I will now consider the demand for places at the school. Table 2 shows the number of children on roll in Year 7 at the school currently and in recent years, and the number of first and second preference applications for places at the school. This table uses the proposed PANs. A first preference is the school that a parent most wants their child to attend and is a good indication of demand.

**Table 2: the number of children on roll at the school in recent years, and the number of first and second preference applications**

	2022	2023	2024	2025
The PAN for the school (if the proposed variations are approved)	240	240	210	180
Number of first preference applications	103	86	88	74
Number of second preference applications	105	115	107	101
Total first and second preference applications	208	201	195	175
Number of children on roll at the October census	219	197	183	
Surplus places	21	43	27	

20. Table 2 shows that:

- demand for places at the school has declined year-on-year since at least 2022;
- the number of children on roll in Year 7 at the October census was, in 2023 and 2024, slightly below the total number of first and second preference applications; and
- the total of such applications for 2025 is below the proposed PAN for that year.

21. In respect of applications to the school for 2025, the local authority has stated:

“With a further forecast drop in demand from 2025/26, the position for Raynes Park is not expected to improve. As a result, no parent naming Raynes Park as a preference would be impacted by a PAN reduction to 180. Any parent naming Raynes Park will continue to receive an offer.”

22. From all the information available to me I am satisfied that those children whose parents most want them to attend the school in 2025 would be admitted under the proposed PAN, and there would be no frustration of parental preference.

23. For the sake of completeness I have considered whether the benefits to the school of lowering the PAN are a reasonable justification of any potential frustration of parental preference in 2025. The proposal referred to financial pressures and stated:

“Reducing the PAN to 210 and then to 180 will enable the school to resource Year 7 accordingly. Continuing to admit cohorts significantly below PAN will add to the schools existing financial issues. Reducing the PAN to 210 and then 180 and resourcing accordingly will aid both the school’s and the borough’s financial viability. The LA will be consulting on changing the school’s PAN from 240 to 180 as part of the consultation for 26/27. This variation would align with the new consultation and enable the school to improve its financial position earlier than is possible through the standard process.”

24. I note that according to the DfE website “Financial Benchmarking and Insights Tool”, at the end of the 2023 to 2024 financial year the school had an in-year balance of over £762k and a revenue reserve of £2M; these figures do not immediately suggest financial hardship. However, the school provided a business case to support the proposed reductions in PAN which stated that, if the proposals were to be agreed:

“over the course of 5 years, we would need 1 less teacher in the core subjects as each year group decreases in size . . . Over 5 years, for the reduction of one teacher in each core subject, we would save an average of £62,000 per member of teaching staff which adds up to £980,000 just for the core subjects (allowing for a 2.5% increase per year – September 2024 Pay Award now confirmed as 5.5%).



Our 3 year budget is predicting a potential deficit of around £650,000 by the end of year 3 (2026 – 2027) and the reduction in those staff numbers just in 2 years would already be well over half way to covering this potential deficit.”

25. For all of the reasons above I agree that the proposed reductions in the PAN for 2024 and 2025 would provide greater stability for the school and its pupils and benefit the school financially. I am satisfied that there would be sufficient school places for children in the area and that it seems unlikely that there will be any frustration of parental preference in the longer term.

26. I find that the proposed variations are justified by the circumstances and approve the proposed variations.

## **Determination**

27. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Merton for Raynes Park High School for September 2024 and September 2025.

28. I determine that the published admission number for 2024 will be 210.

29. I determine that the published admission number for 2025 will be 180.

Dated: 8 January 2025

Signed:

Schools adjudicator: Jennifer Gamble