



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2537

Admission authority: The London Borough of Merton for Haslemere Primary School

Date of decision: 19 March 2025

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 London Borough of Merton for Haslemere Primary School for September 2025.

I determine that the published admission number for 2025 shall be 30.

The referral

1. The London Borough of Merton (the local authority) has referred a proposal for a variation to the admission arrangements for September 2025 (the arrangements) for Haslemere Primary School (the School) to the adjudicator. The School is a community school for children aged two to eleven. The proposed variation is that the published admission number (PAN) be reduced from 60 to 30 for admissions in September 2025.

Jurisdiction and procedure

2. 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”.

3. 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 and supports it. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variation is within my jurisdiction. 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 13 February 2025, supporting documents and further information provided at my request;
- b. the determined arrangements for 2025 and the proposed variation to those arrangements;
- c. comments on the proposed variation from the governing body for the School and further information provided at my request;
- d. a map showing the location of the school and other relevant schools; and
- e. information available on the websites of the local authority and the Department for Education (the DfE) including ‘Get information about schools’ (GIAS) and ‘Find and compare schools and colleges in England’ (the DfE website).

The proposed variation

4. The local authority explained in its referral that demand for places in reception year (YR) have generally been reducing across its area in recent years. The local authority has proposed that the PAN is reduced from 60 to 30.

5. The local authority has made similar requests for variations to three other community schools in its area and I am the adjudicator appointed to consider these requests. These schools are Malmesbury Primary School (Malmesbury), Poplar Primary School (Poplar) and Hatfeild Primary School. Each case is determined upon the specific situation and no case sets a precedent for another. In this instance, however, I am conscious that reducing the number of places in one area can have an effect on another and I will consider that aspect.

6. 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

circumstances 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

7. 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.

8. The local authority has set the PAN for 2026 at 60. Therefore my determination will only affect admissions in 2025.

9. I will first consider if there would be sufficient school places in the area if I were to agree the variation, then the demand for places at the school and then the reasons for the variation request. In considering whether there would be sufficient school places in the area if the PAN were to be reduced to 30 for 2025, I will begin by exploring the geographical context and the information available relating to the demand for places at the School. GIAS describes the school as being in an “Urban major conurbation”. The DfE website shows that there are nearly 100 state funded primary schools within three miles of the School and 13 within one mile of the School which admit children to YR, including Poplar.

10. Local authorities have a duty to make sure that there are sufficient school places for the children in their area. Normally they assess need and provision on the basis of geographical areas known as planning areas. The school is in a planning area with 11 other schools which admit children to YR. Table 1 summarises data on the admissions to YR for the schools in the planning area.

Table 1: demand of places in YR in the planning area

	2022	2023	2024	2025
Sum of PANs of schools for YR	750	750	750	750
Number of first preferences	510	482	472	452
Number of offers made	568	531	519	N/A
Number of children in YR in schools for the relevant October census	547	514	498	N/A
Vacant places	203	236	252	N/A

11. A first preference is the school a parent most wants their child to attend. Table 1 shows that in each recent year, more offers have been made and more children have joined the schools in the planning area than the number of first preferences. This could indicate that the schools in the planning area were the highest preference which could be met; all preferences are important and parents are encouraged to use all their preferences as not all can achieve their first preference.

12. Table 1 also shows there is a very high number of vacant places in the planning area which has increased year on year. In 2024, the proportion of vacant places was nearly 34 per cent, which is over a third of all places in the planning area. Given the number of vacant places and the proximity of other primary schools, I am assured that there would be sufficient school places in the area if the PAN for the School were reduced by 30 places.

13. The local authority also helpfully supplied data on schools that are in other planning areas but near to the School. This provided additional evidence that if the PAN for the School were to be reduced to 30, there is sufficient capacity in the local area to meet demand.

14. I will now look at the situation for the school and why the governing body supports a reduction in PAN. Table 2 below shows the demand for the school and admissions in recent years.

Table 2: demand for the school and admissions

	2022	2023	2024	2025
The PAN for the school	60	60	60	60
The number of first preferences	42	48	38	33
Number of children offered a place	60	56	47	N/A
Number of children in YR for the October census	50	54	42	N/A
Number of vacant places	10	6	18	N/A

15. Table 2 illustrates that the numbers in YR at the School have reduced since 2022. The number of first preferences has remained over the proposed PAN of 30. In addition, the number of admissions was higher than the number of first preferences in 2022, 2023 and 2024. The local authority has provided an analysis of the preferences for 2025 to provide an indication of the effect of reducing the PAN, which the local authority describes as an impact assessment. The local authority anticipates that, if the PAN remained at 60, 36 children would be allocated places in YR for September 2025.

16. The local authority said,

“Should the school’s PAN be reduced from 60 places to 30 from September 2025, the forecast is that six families will be displaced. These families are all local to the area with a number of alternative schools available within walking distance. The impact assessment shows five of the six families will be allocated an alternative preference school and that all will receive an offer of a school within walking distance. A review of the allocations made for September 2024 shows that 11 families offered a place on Offer Day ended up not taking up their places. A similar rate of drop out this year would see all families receiving an offer and the school ending up with less than 30 pupils on roll.”

17. In other words, 36 children may be allocated places at the School following national offer day but the local authority, based on previous patterns, anticipates 30 or fewer children actually being admitted in September 2025.

18. 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 YR, year 1 (Y1) and year 2 (Y2).

19. As schools are largely funded on the number of pupils and the highest cost to a school budget is staff, it is financially efficient to have infant classes that have 30 pupils or close to 30 pupils. As the School teaches in classes that contain only one year group, if the number of children in a year group is significantly less than 60 but more than 30, this leads to classes costing more than the income derived from the pupils in them. In other words, if a class has, say, around 20 pupils then the costs are normally higher than the income. The local authority provided financial figures in a letter from the School. The letter, based on 41 pupils in YR, showed the income from the 41 pupils as £159,000. The letter put the costs of providing two teachers and two teaching assistants as £244,138. The difference between the income for the pupils and the costs of providing two classes (materials and so on not included) was shown as £84,238. Clearly there will be variables which will affect these costs, such as the experience of the teachers, but the figures provide an indication of the costs of providing a class.

20. I asked the governing body for further information on the budget situation and class organisation. The headteacher, responding on behalf of the governing body said,

“At the beginning of the financial year 2024/25 Haslemere had a deficit of £220,033. We are currently forecasting that we will have reduced that to £181,079 by the end of the financial year 2024/25.”

21. The governing body also provided some financial information with the local authority’s referral. In summary, the School anticipates a financial shortfall if it has to provide two classes for YR with fewer than 60 children in the year group. It anticipates a

much smaller financial shortfall with 30 children and one class, of around £5,000. These figures are based on one qualified teacher and a full time learning support assistant per class, making the cost of a class around £122,000.

22. The information provided by the School on class organisation on 14 March 2025 is as shown in Table 3.

Table 3: class organisation at the School

	Number of children	Number of children in each class
Reception	40	20 20
Year 1	42	21 21
Year 2	45	22 23
Year 3	39	18 21
Year 4	29	29
Year 5	38	19 19
Year 6	48	19 24

23. The number of pupils in each class is very low compared to many schools, except for Y4 where only one class is provided. Clearly the School has decided to maintain classes that only contain one year group rather than having more efficiently sized classes by combining year groups, often known as mixed aged classes. However, the class structure is an explanation of the causes of the financial deficit at the School, which it is taking steps to address as the deficit has reduced this year despite the class structure.

24. I will now weigh the evidence. The number of parents who have put the School as their first preference is higher than the PAN that is requested by a total of three. The local authority, using patterns from previous years, believes that the number of children who will actually join the School is likely to be fewer than 30. It therefore appears that if I agree the variation few, if any, children will be affected.

25. I must also consider the budgetary effect for the School if the PAN is not reduced and more than 30 children are admitted. The School would provide two classes and incur considerable costs without sufficient income which will worsen its budgetary deficit. The data shows that there would be sufficient local places to accommodate all demand if the PAN were reduced from 60 to 30. On balance therefore, I find that the variation is justified by the circumstances and I approve the proposed variation.

Determination

26. 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 London Borough of Merton for Haslemere Primary School for September 2025.

27. I determine that the published admission number for 2025 shall be 30.

Dated: 19 March 2025

Signed:

Schools adjudicator: Deborah Pritchard