



Office of
the Schools
Adjudicator

Determination

Case references: VAR2542 and VAR2545

Admission authority: Hampshire County Council for Tweseldown Infant School, Church Crookham, Fleet

Date of decision: 21 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 Hampshire County Council for Tweseldown Infant School for September 2024.

I determine that the published admission number shall be 105.

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The referral

1. Hampshire County Council (the local authority) has referred proposals for variations to the admission arrangements for September 2024 and September 2025 (the arrangements) for Tweseldown Infant School (the School) to the adjudicator. The School is a school for children aged to four to seven in the village of Church Crookham adjacent to the town of Fleet.
2. The proposed variations are that the published admission numbers (PANs) be reduced from 120 to 105 for both 2024 and 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 variations and supports them. I find that the appropriate procedures were followed, and I am also 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. The information I have considered in reaching my decision includes:

- a. the referral from the local authority received 17 February 2025, supporting documents and further information provided at my request on 14 March 2025;
- b. the determined arrangements for 2024 and the proposed variation to those arrangements;
- c. the determined arrangements for 2025 and the proposed variation to those arrangements;
- d. comments on the proposed variations from the governing body and further information provided at my request;
- e. a map showing the location of the School and other relevant schools; and
- f. 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).

6. The local authority has requested variations to four primary schools in its area and I am the adjudicator appointed to consider all the variations requested by the local authority. No decision in one case sets a precedent for another. In this instance, the School is in the same town as another school for which a variation has been requested. However, the other

school is a junior school and therefore only admits children to year 3, so there is no direct effect of one decision on the other.

7. 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 variations requested are justified by the change in circumstances.

The proposed variations

8. The local authority has requested that the PANs for the School are reduced from 120 to 105 for admissions in 2024 and 2025 and said in its referral,

“The reduction of the PAN to 105 in both year groups will protect the school from financial difficulties and will enable them to plan their staffing and curriculum with certainty for future academic years.”

Consideration of proposed variations

9. 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.

10. The local authority has consulted on reducing the PAN for 2026 and following that consultation has set the PAN for 2026 at 90. Therefore my determination will only affect admissions for the current reception year (YR) and those to be admitted to YR for the 2025/26 academic year.

11. I will first consider the applications and admissions overall including whether there would be sufficient school places in the area if I were to agree the variations. I will then consider demand for places at the School and the reasons for the variation requests. In considering whether there would be sufficient school places in the area if the PAN were to be reduced to 105 for 2024 and 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 a “Rural town and fringe”. The DfE website, which measures distances in straight lines, shows eight other primary schools which admit children to YR within two miles of the School, and one other within one mile.

12. 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 seven other schools which admit children to YR.

13. Parents can apply for admission for their children wherever they wish and will make their decisions based on their circumstances and will consider factors such as convenience, family connections and reputation. Parents will take no account of planning areas when applying for a school place.

Table 1: numbers of school places and children admitted to YR in the planning area

	2023	2024	2025
Sum of PANs of schools for YR	560	560	560
Number of first preferences	533	476	498
Number of children admitted	541	487	N/A
Vacant places	19	73	N/A

14. When applying for a school place, parents are able to express a preference for more than one school. A first preference is the school to which a parent would most like their child to be admitted. Table 1 shows that the number of first preferences for schools within the planning area reduced considerably for admissions in 2024 as compared to 2023 and there were 54 more vacant places for 2024 than there were for 2023. If the PAN for the School were to reduce from 120 to 105, this is a decrease of 15 places. Had this reduction in places been made in 2024, there would have been ample places across the area if the PAN for the School had been 105.

15. The number of first preferences for 2025 has increased from 2024 by 22. If the number of admissions for 2025 were to increase from the number of first preferences by 11 (as occurred in 2024) there would still be sufficient capacity for these children to be admitted to schools in the planning area if the PAN for the School were to be reduced by 15 as requested. I am therefore assured that there would be places for children in schools within the planning area if the PAN were reduced to 105 for admissions in 2025.

16. I will now consider the demand for places at the School and the reasons why the governing body supports the reductions in the PAN requested. The information provided by the School includes several budgetary forecasts depending on the number of children to be admitted, and views on the curriculum, teaching and learning implications of various classroom structures. This shows considerable thought has been given to the matters concerned in the request for the variations by the School and the potential effects on teaching and learning if the variations are agreed or not agreed. Table 2 summarises the admissions to YR at the School.

Table 2: the number of first preferences and the number of children admitted to the School

	2023	2024	2025
The PAN for the School	120	120	120
The number of first preferences	104	98	100
Number of children admitted to YR	116	101	N/A
Number of vacant places	4	19	N/A

17. Table 2 shows that more children have been admitted to the School than the number of first preferences in 2023 and 2024. In relation to the application for a variation to the 2024 arrangements, Table 3 below shows that there are currently 93 children on roll at the school. Therefore, there is little, if any, risk that parental preference will be frustrated if the PAN for 2024 were to be reduced to 105. Similarly, there is little risk of parental frustration if the PAN for 2025 were to be reduced to 105. The local authority has forecast that 97 children will be admitted to YR at the School in 2025. If the PAN were to be 105, then all 97 children could be admitted and all 100 first preferences could be met.

18. The governing body provided information on the current class structure as shown in Table 3. The current number of pupils in the School is 319. If the School were full in all year groups there would be 360 pupils.

Table 3: current class structure at the School

Class	YR	Y1	Y2
1	30	-	-
2	30	-	-
3	34	-	-
4	-	30	-
5	-	27	-
6	-	23	-
7	-	26	-
8	-	-	23
9	-	-	26
10	-	-	26
11	-	-	28
Additional class	8	4	4
Total	102	110	107

19. The School currently provides an additional class to give support to selected pupils. These pupils are part of the PAN and not a separate provision. The School has told me that this will not continue in the future.

20. I am conscious that the School is an infant school. That means that every class is 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). One YR class at the School has 34 pupils and two teachers in order to meet the requirements of the infant class size regulations.

21. As schools are largely funded on the number of pupils and the highest costs to a school budget are staff, it is financially efficient to have infant classes that have 30 pupils or close to 30 pupils. If a school has classes that are many less than 30, then this can mean that the income from the number of pupils is less than the costs of providing a class. This can lead to severe financial challenges for a school.

22. The proposed PAN of 105 is unusual. Many schools prefer to have PANs that are multiples of 30 and teach in single year group classes. Many schools also arrange their classes with more than one year group to a class, often known as mixed aged classes. Both ways of arranging classes have educational benefits.

23. In this instance, the School is proposing one mixed aged class for YR and Y1. The local authority described the class structure as below. The proposal reduces the number of classes overall from 12 to 11 and an indication of what it could look like is shown in table 4 below.

Table 4: indicative class structure for 2025

Class	YR	Y1	Y2	Total
1	30	-	-	30
2	30	-	-	30
3	30	-	-	30
4	15	15	-	30
5	-	30	-	30
6	-	30	-	30
7	-	30	-	30
8	-	-	30	30
9	-	-	30	30
10	-	-	30	30
11	-	-	30	30
Total	105	105	120	330

24. This model is dependent on the PAN for 2024 and 2025 being 105. Based on the information provided on 28 February 2025 by the School on there are 102 pupils in YR. This number could increase between now and the end of the school year in July 2025 up to 120 if the PAN for 2024 is not reduced to 105. If the number of pupils were to increase to above 105 by July 2025 then the proposed model would not work. I have seen no reason not to agree the proposed variation for 2024.

25. If the PAN for 2025 remains at 120, up to that number of children would have to be admitted (up until the end of the summer term in 2026) if applications are made. By setting the PAN at 105, the chances of disruption to class organisation and additional costs to the School would be minimised.

26. I have considered the number of places in the area for YR, the number of pupils currently on roll in YR at the School, the educational information provided by the School, the data provided by the local authority and the demand for places at the School. It is unlikely that parental preference will be frustrated by the reduction in the PAN to 105 for 2024 or for 2025. Reducing the PAN to 105 for 2024 and 2025 will provide certainty for the School so that it can organise its classes in an efficient manner. I therefore find that the variations are justified by the circumstances and I approve the proposed variations to both sets of admission arrangements.

Determination

27. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Tweseldown Infant School for September 2024.

28. I determine that the published admission number shall be 105.

29. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Tweseldown Infant School for September 2025.

30. I determine that the published admission number shall be 105.

Dated: 21 March 2025

Signed:

Schools adjudicator: Deborah Pritchard