



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2549  
**Admission Authority:** Leeds City Council for Greenside Primary School  
**Date of advice:** 31 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 Leeds City Council for Greenside Primary School for 2025.**

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

### The referral

1. Leeds City Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Greenside Primary School (the School or Greenside) for 2025 (the Arrangements).
2. The School is a community school for children aged four to eleven in Pudsey, a town to the west of the city of Leeds. It is a co-educational, non-selective school, and does not have a religious character. Greenside was judged to be Good by Ofsted at its last inspection in June 2024.
3. The proposed variation is that the published admission number (PAN) of the School be reduced from 45 to 30 for admissions to the reception year (Year R) in 2025.

### Jurisdiction and procedure

4. Section 88E of the School Standards and Framework Act 1998 (the Act) makes provision for variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (insofar as is 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”.

5. The Arrangements were determined by the Local Authority on 7 February 2024. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code, and that the governing body of the School has been consulted on the proposed variation.
6. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
7. In considering the variation request, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decision includes:
  - the referral from the Admission Authority dated 3 March 2025;
  - the determined Arrangements for 2025 and the proposed variation to those Arrangements;
  - responses from the Local Authority and the School to my requests for further information;
  - maps, including Google Maps and those showing the location of the School; and
  - information available on the websites of the DfE (including the ‘Get Information About Schools’ (GIAS) and ‘Financial Benchmarking and Insights Tool’ (FBIT) websites), the Local Authority, the School and Ofsted.
9. I would like to extend my thanks to the Local Authority and the School for their responses to my requests for further information.

## Consideration of proposed variation

10. The Local Authority has proposed that the PAN is reduced from 45 to 30 for 2025. The proposed variation has the support of the School.
11. 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 changes to arrangements 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.
12. I note here that the Arrangements for 2026 have been determined, and the PAN set at 30. This means that if I agree to the Local Authority's request to vary the Arrangements for 2025 by reducing the PAN as proposed, it will be for that year only and will not have a bearing on subsequent years.
13. 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 proposed variation is justified by the change in circumstances.
14. The major change in circumstances relied upon by the Local Authority is set out in the referral, which states:

"Births across the area are declining, and the effect of this has started to be seen sooner than previously expected at Greenside. The school sits in a large geographical area in terms of school place planning and births have decreased from over 400 for cohorts that entered reception up until September 2022 to 345 for the 2028 reception cohort. Although births for the 2024 reception cohort were 381, this cohort didn't grow very much ahead of these children starting school, and the resulting allocation was down by 23 compared to the previous year. Several schools, including Greenside were impacted by this decline.

In recent years Greenside has tended to fill to the PAN of 45 at offer day and remain full or almost full year on year. The 2024 reception cohort was markedly different to this, in that only 29 children were allocated a place there at National Offer Day. The reception cohort has remained at 29 since then (correct at 24/2/25).

In autumn 2024 a public consultation took place on a permanent PAN reduction to 30 from September 2026. On 12 February 2025, the Executive Board of Leeds City Council approved this reduction when determining the 2026/27 admission arrangements for the school. . .

For September 2025 admissions, at national closing (15 January 2025) the LA has received 164 preferences [sic] for Greenside and 32 first preferences, including 1 set of

twins. Again, there is a significant gap between the 45 PAN and the likely final allocations.

The requested PAN reduction is in line with school place planning recommendations for the area. Current data suggests a reduction of a further 30-45 reception places on top of the planned change to 30 places at Greenside from 2026 would be appropriate. Given the significant amount of surplus that has already opened in the area, a reduction to 30 places is unlikely to have any significant impact on parental preference or the ability of parents new to the area securing a school place.”

15. 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 PAN of the School is reduced from 45 to 30 for 2025. I have also considered the demand for places at the School, the reasons given for the change, the potential effect on parental preference and whether the change is justified taking into account all relevant circumstances.

16. 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. I have considered the data that the Local Authority has provided for the area to which the school belongs, in which there are ten schools (including the School) which admit pupils to Year R. 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 2025. I note that the PAN of one of the other schools in the planning area has been reduced by 15 for 2025. Table 1 also demonstrates the effect on surplus places of reducing the PAN of the School as has been proposed.

**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>Number of places in Year R in schools in the planning area (with a PAN of 45 for the School)</b>	480	480	480	465
<b>Number of children admitted (2022 – 2024) or forecast to require a place (2025 – 2027)</b>	422	418	395	364
<b>Vacant places</b>	58	62	85	101

	2022	2023	2024	2025
<b>Vacant places as a percentage of total places</b>	12.08	12.92	17.71	21.72
<b>Number of places in Year R if variation approved (with a PAN of 30 for the School)</b>	0	0	0	450
<b>Vacant places if variation approved</b>	0	0	0	86
<b>Vacant places as a percentage of total places if variation approved</b>	0	0	0	19.11

17. The Department for Education 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 above I note that the proportion of vacant places in the area has been far higher than this in recent years and would, according to the forecast, remain well above this percentage if I agree the proposed variation.

18. I am satisfied that if the PAN of the School were to be reduced to 30 for 2025, there would be sufficient places left in the planning area for any children who might be seeking a Year R place.

19. I now turn to the number of children at the School and the reasons given by the School in support of the variation request.

20. Table 2 shows the number of children admitted to the School in recent years and the number of first preferences for the School. This table uses the proposed PAN of 30 for 2025.

**Table 2: the number of children admitted to the School in recent years, with the number of first preference applications**

	2022	2023	2024	2025
The PAN for the School	45	45	45	30
Number of first preferences	43	39	29	33
Number of children admitted (2022-2024) or forecast to require a place (2025)	44	45	29	33
Surplus places	1	0	16	-3

21. The Local Authority has told me that if the PAN remains at 45, then 33 children would be offered places at the School on National Offer Day. In other words, if the PAN is

varied as proposed and only 30 children are offered places, three children are likely to be displaced from the School, resulting in frustration of parental preference.

22. I have considered the position of these children and the schools to which they may instead be admitted. The Local Authority told me that Greenside is the first preference school for each of the children, none of whom reside in the School’s catchment area or have a sibling at the School. Southroyd Primary and Nursery School (Southroyd) is each applicant’s second preference and the school at which they are likely to be offered a place if displaced from Greenside. The Local Authority provided the data in table 3, below, setting out the distance that each child would have to travel to Southroyd compared to the distance they would have to travel to Greenside.

**Table 3: The distance that each child likely to be displaced from the School would have to travel to Greenside and to Southroyd, by straight line distance (SLD) and walking distance**

	<b>Greenside Primary School</b>	<b>Southroyd Primary School</b>
<b>Child 31</b>	1.225 miles SLD 1.4 miles walking	1.006 miles SLD 1.4 miles walking
<b>Child 32</b>	3.146 miles SLD 3.6 miles walking	2.976 miles SLD 3.9 miles walking
<b>Child 33</b>	3.146 miles SLD 3.6 miles walking	2.976 miles SLD 3.9 miles walking

23. Local Authority data show that only one school in the planning area is forecast to be oversubscribed for 2025, and the referral stated:

“With a PAN of 30 at Greenside for 2025 there would still be sufficient reception places available for all children who have this school as their nearest, plus there would be plenty of choice for families as there are five other primary schools located within approximately one kilometre of the school, most of which have vacancies.”

24. I make two observations on this matter: first, that the three children likely to be displaced from the School would instead be offered places at a school for which they have also expressed a high preference, and which is a similar distance from their homes to that which they would have had to travel to Greenside. Second, in the event that these children do not wish to attend Southroyd there are, according to GIAS, approximately 21 other schools which admit children to Year R within two miles of Greenside; there is, as the Local Authority stated, a choice of places for such families and the data on surplus places in the planning area support this.

25. I recognise that whilst it is the case that there may be places available elsewhere for these children, there may be sound reasons why their parents expressed a first preference for Greenside, for example to fit in with commitments such as work, family or childcare. I must be clear however that a first preference is simply that; it may be the school that a parent most wants their child to attend, and admission authorities must offer each applicant a place at the highest preference school possible, but expressing a first preference is not and cannot be a guarantee of a place at that school.
26. Nevertheless, the timing of this variation request is important. I note that during the Autumn term of 2024, parents would have been considering their preferences, visiting primary schools, and availing themselves of information about admission arrangements. Any parent who had looked at the data for the School would have seen a PAN of 60 and an intake well below that number for each of 2022, 2023 and 2024. It is likely that some parents would draw the conclusion that the School was likely to be undersubscribed in 2025 and have made their applications in the belief that a first preference for Greenside would certainly result in their child being offered a place. I therefore cannot rule out the possibility that there are a group of parents who would have expressed a different set of preferences had a PAN of 30 for September 2025 been in place at the time they were making their decisions.
27. I will now consider the impact on the School of the proposed variation.
28. 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.
29. Due to the existing PAN of 45, the School describes itself as “one and a half form entry”. Pupil numbers in some year groups are well below 45, and the children at the School are currently organised into a mixture of mixed-age and single-age classes. There are 29 children in Year R, taught in a single class. The request for the variation refers to the intention of the School to move to a one-form entry model as follows:
- “The school is responding to the lower pupil numbers by changing its curriculum model. The head teacher and governors are looking to manage current and future reception cohorts with one qualified teacher per year group rather than continuing to operate the current arrangements of two teachers in reception and some mixed age group classes in higher year groups.
- An allocation of more than 30 pupils in the 2025 reception would disrupt the change to moving from a 1.5FE model to 1FE and would be difficult to manage and have negative

impacts on school budgets as additional teachers would be needed.”

30. A statement from the School adds:

“We currently have 29 children in our 2024 Reception class which means they will move up as a one form class through school. If we were to have a PAN of 45 for 2025 and then go back to one form in 2026 [when the PAN is 30] . . . it would be very difficult to deliver the curriculum consistently and manage staffing. The school needs to plan for either one form entry or one and a half, a mixture of both would be at detriment to the children with an inconsistent curriculum and increase in work load for staff.

Having a PAN of 45 in 2025 but only 31 children (current predicted first choices) would have a big financial impact due to employing another teacher and TA for very small class sizes going through school. This is not financially viable. . . The school are currently in a predicted deficit and need to be able to reduce staffing not increase it.”

31. The FBIT website shows that at the end of the 2023-2024 financial year, the School had an in-year balance of -£64K and a revenue reserve figure of -£36.5K. The School described its financial situation to me as follows:

“24-25 we are currently in a deficit of -£58,190 with a deficit predicted in 25-26 for -£97,400. This is taking into account the natural reduction of numbers if the school was to go to a one form entry. If the reduction was not to go ahead the estimated deficit for 25-26 would increase by a minimum of £35,000. We currently have a deficit action plan in place, which has been sent to LA to reduce the deficit but this is with the reduction of PAN in mind.”

32. If the PAN of 45 remains in place, then if more than 30 children were to be admitted as forecast the School would, without again using mixed-age classes, need to organise those pupils into two classes of a size that may not be financially efficient. Even if fewer than 30 children were admitted initially, who could be accommodated in one Year R class, the School would be obliged to admit up to the PAN if additional applications were received during the year. As soon as more than 30 children were in Year R, two classes would be required. This situation creates uncertainties in school organisation and staffing as the School would not know if or when an additional class would be required.

33. If more than 30 pupils are admitted to Year R in 2025 the School’s long-term aim of moving to one-form entry would be frustrated. The current Year R could move up the School as a single class, as could the pupils admitted in 2026, but the 2025 cohort would be an exception which is likely to result in significant financial pressures and may add complication to the curriculum as the School has described above.



34. If I approve the proposed variation, 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 Year R. It will also be reassured that there will be no possibility of having to reorganise mid-year, for example by creating an additional Year R class, due to any in-year admissions that would take the total number of children in Year R above 30. This should enable the School to pursue its plan of greater fiscal health and its move towards its intended class and curriculum structure.

35. Having considered all the matters above, my reasoning can be summarised as follows. If the proposed variation is approved, there will be some frustration of parental preference and some detriment to a small number of children who will not be admitted to the school which would otherwise be their highest available preference. However, if the proposed variation is not approved, there will be a significantly negative financial and organisational impact on the School, with detriment to those children already at the School, and to others who may lose out if funding is diverted to pay for the provision of an extra infant class for three years. After carefully weighing the above factors, I consider that it is reasonable to conclude that the proposed variation is justified by the circumstances, and I approve it.

## Determination

36. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Leeds City Council for Greenside Primary School for 2025.

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

Dated: 31 March 2025

Signed:

Schools Adjudicator: Jennifer Gamble