



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2557

Admission Authority: Oxfordshire County Council for Hook Norton Church of England Primary School

Date of decision: 14 April 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 Oxfordshire County Council for Hook Norton Church of England Primary School for 2025.

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

The referral

1. Oxfordshire County Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Hook Norton Church of England Primary School (the School) for 2025 (the Arrangements).
2. The School is a voluntary-controlled school for children aged three to eleven in Hook Norton, a rural town at the northeast of Chipping Norton in Oxfordshire. The School is a co-educational school, and was judged to be Good by Ofsted at its last inspection in March 2023.
3. The religious character of the School is Church of England. The religious authority for the School is the Diocese of Oxford (the Diocese).
4. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to the reception year (Year R), be reduced from 45 to 30 for 2025.

Jurisdiction and procedure

5. 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”.

6. The Arrangements for 2025 were determined by the Local Authority on 21 February 2024.
7. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code. The Local Authority has also provided me with confirmation that the School's governing body has been consulted on the proposed variation.
8. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
9. In considering the variation request, I have had regard to all relevant legislation and the Code.
10. The information I have considered in reaching my decision includes:
 - the referral from the Local Authority dated 19 March 2025 and supporting documents;
 - the determined Arrangements for 2025 and the proposed variation to those Arrangements;
 - responses from the Local Authority, the School and the Diocese 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 Department of Education (DfE) (including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT) websites), the Local Authority, the School, and Ofsted.

Consideration of proposed variation

11. The Local Authority has proposed that the PAN of the School is reduced from 45 to 30 for entry to Year R in 2025. This proposed variation has the support of the School's governing body and of the Diocese.
12. 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.
13. 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.
14. 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.
15. The major change in circumstances relied upon by the Local Authority is set out in the referral, which states:

"The school was expanded from PAN 30 to PAN 45 from September 2015 onwards in view of anticipated housing growth locally.....

The school has never received sufficient applications to fill all 45 places and numbers have fluctuated. This causes class size management issues and financial difficulties.

Anticipated lower recruitment to Reception class 2025/26 is predicted with only 23 first preference applications, which indicates 45 will not be reached. In order to avoid infant class-size issues, limiting intake to 30 will allow for better planning and management as this cohort moves up through the school."
16. 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 is reduced from 45 to

30 for 2025. I have also considered the demand for places at the School, the reasons given for the changes in demand, the potential effect of the proposed PAN reduction on parental preference, and whether the proposed reduction is justified taking into account all relevant circumstances.

17. 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.
18. To this end, the School is based in the planning area of Chipping Norton North Area. The Local Authority has advised me that some schools in the same planning area are some distance from the School and so unlikely to affect or be affected by this proposed PAN reduction. At the same time, I am conscious that, according to the Local Authority, there are primary schools within five miles' distance of the School but falling in the respective planning areas of Bloxham East, Bloxham West, Chipping Norton South, and Compton and Brailes which are in Warwickshire.
19. Parents can apply for admission 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.
20. I therefore have taken the view that, in order to assess the sufficiency of surplus places in the area for any child who might be refused admission to the School, my analysis should not be based upon the number of available places at schools within the local authority planning area in which the School is located. The analysis should instead be based on the number of places available at six schools within Oxfordshire (the relevant schools), including the School and five others which are within five miles' distance of the School, as they admit children to Year R. The aggregate data set out in Table 1 show the number of Year R places and the numbers of children on roll at the relevant schools at the October census date, and the number of children forecast to require a place at those schools. Table 1 also demonstrates the effect of the proposed PAN reduction on surplus places in the area.

Table 1: School places available in the relevant schools, and the number of children admitted, or forecast to require a place

	2022	2023	2024	2025
Number of places in Year R in the relevant schools (with a PAN of 45 at the School)	185	180	180	180
Number of children on roll in Year R at the October census date (2022, 2023, and 2024) or forecast to require a place (2025)	177	153	140	113
Vacant places	8	27	40	67
Vacant places as a percentage	4.3	15.0	22.2	37.2
Number of places in Year R if variations approved (with a PAN of 30 at the School)	NA	NA	NA	165
Vacant places if variation approved	NA	NA	NA	52
Vacant places as a percentage if variation approved	NA	NA	NA	31.5

21. 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 above I note that the proportion of vacant places in the relevant schools has been far higher than this in recent years and would, according to the forecast, remain well above this percentage if I agree to the proposed variation.
22. I am aware that there are two other schools in the local authority area of Warwickshire, which according to GIAS, are within 4.3 and 4.6 miles respectively of the School, and with a total PAN of 28 places in 2025. If there will be 52 vacant Year R places in the six Oxfordshire schools covered in Table 1 following the proposed reduction in the PAN for the School to 30, the number of vacant places in the relevant schools will be more than adequate to meet any unanticipated demand. This being the case, I am satisfied that, even without going further to investigate the data of the two schools in Warwickshire which are located within five miles of the School, there will be sufficient places available in the local area for any children who might be seeking a Year R place, if the application is approved.
23. I turn now to the demand for places at the School. Table 2 shows the number of children admitted to the School in recent years and the number of first preference

applications for the School, plus local authority projections for future years. This table uses the proposed PAN of 30 from 2025 onwards.

Table 2: The number of children admitted to the School in recent years, with projections for future years

	2022	2023	2024	2025
The PAN for the School	45	45	45	30
Number of first preferences	34	35	31	23
Number of children on roll at the October census date (2022-2024) or forecast to require a place (2025)	36	37	33	26
Surplus places	9	8	12	4

24. Data in table 2 show that the number of first preference applications for the School in 2025 has fallen from numbers in the previous two years. In each of the three years 2022, 2023 and 2024, the School admitted two more children than the number of first preferences. First preference applications are only one indicator of demand; applications are made months in advance of admission and people's lives can change considerably in that time. There may also be applicants for whom the School is, say, a second preference but who are refused a place at their first preference School.
25. The Local Authority has advised me that, for 2025, only two other schools in the area covered in Table 1 have received a number of first preference applications higher than the sum of their own PANs (38 first preferences for these two other schools, which have a total PAN of 30 altogether). Three children who will not be offered places at these two other schools have requested the School as their next preference, whereas the rest have requested some schools (outside the scope of the five-mile radius) in Warwickshire. This will take the number of children forecast to require a place at the School in September 2025 to 26 (23+3). It seems highly likely that all applicants seeking a place at the School in 2025 will be admitted if the PAN is reduced to 30. I am therefore not concerned that parental preference will be unduly frustrated if the PAN of the School is reduced to 30 at this late stage in the application year.
26. 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. I have also considered whether there are alternative steps which the School could take to mitigate the negative financial impact which it asserts would be caused by maintaining the current PAN.

27. 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 (paragraph 2.16 of the Code). The infant class size regulations apply to Year R, Year 1 and Year 2.
28. 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, but below, 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. If this happens over several classes, a school can have severe financial challenges.
29. The School has provided me with a detailed breakdown of how its classes are organised. The fact that the School already uses mixed-age teaching provides some assurance that changes to class organisation have already been considered as an alternative to reducing the PAN. The School currently has 34 children in Year R, 38 children in Year 1, and 34 children in Year 2. These 106 children are currently taught in one Year R class (27 children), one mixed Years R/1 class (27 children), one mixed Years 1/2 class (27 children), and one Year 2 class (25 children).
30. The School told me, “34 Reception pupils cause us a dilemma. We can only have 30 in a Reception/KS1 class, splitting 34 pupils between two classes is not economically viable for the school. We therefore need to put some Reception children in with Year One which presents challenges because the Year One and Reception Curricula and teaching approaches are very different. A solution would be to fix our PAN at 30 to avoid this dilemma”.
31. If the variation is approved, the School told me that it plans to:
- “reduce classes within the school over the next 4 years... This will enable us to have the appropriate ratio of teachers to pupils moving forward. This was started last year as we reduced our classes by 1 in Reception. We plan to lose another class in Sept 2025 in Y5/6, another in Y3/4 in September 2026 and the final class reduction in Sept 2027 in Y1/2”.
32. The Local Authority also assures me that,
- “No problems are foreseen to arise for a smaller intake of 30 children into Reception class 2025/26. With 23 first preferences for 2025/26 all those seeking a place are expected to be offered and this lower limit is not expected to be reached. No problems are currently foreseen in future years as this year group progresses through Key

Stages 1 and 2 with cohorts of 30 below and a limited number in excess of 30 in the year group above which may reduce over time.”

33. The DfE website “Financial Benchmarking and Insights Tool” shows that for the financial year ending March 2024, the School had an in-year balance of £28.8K and a revenue reserve of £47.8K. The School described its financial situation to me as follows:

“We are currently operating in a deficit budget with monthly monitoring from Oxfordshire County Council’s (OCC) finance team. I have attached our latest projections summary and budget summary which was submitted to OCC finance team last week by our school business manager requesting a licensed deficit budget over the next 5 years (subject to approval) but [this] obviously relies on us being able to reduce the PAN from September [as] this is something that has been discussed at length between the finance team and the school over the year, and we all believe it is the correct course of action to contain and then reduce the deficit going forward.”

34. If the PAN of 45 remains in place, and 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 admitted to Year R, more than one class would be required. This would necessitate either the employment of an additional teacher or other major organisational change. The concern that this situation could arise creates uncertainties in school organisation and staffing as the School would not know if and when an additional class would be required. Furthermore, 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. I note that it is very hard for a school to address a deficit budget, should this arise, without it affecting the educational provision made.
35. 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. This should enable the School to pursue its plan of greater fiscal health and the move towards its intended class and curriculum structure.
36. I note the following: there are plenty of surplus places in the area, and there is likely to be so at several schools in 2025; the number of first preference applications for the School in 2025 is below the proposed PAN; and the pattern of admissions in previous years and current projections indicate it is unlikely that more than 30 children would be admitted to the School in 2025 even if the PAN remains at 45. Maintaining the current PAN creates uncertainties in school organisation and staffing as the School would not know if or when an additional class would be required.

37. After carefully weighing the above factors, I find the proposed variation is justified by the circumstances, and I approve it.

Determination

38. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Oxfordshire County Council for Hook Norton Church of England Primary School for 2025.
39. I determine that the published admission number for 2025 will be 30.

Dated: 14 April 2025

Signed:

Schools Adjudicator: Jackie Liu