



Office of
the Schools
Adjudicator

Determination

Case reference:	VAR2556
Admission Authority:	The Governing Body for The Rosary Catholic Primary School, Heston
Local Authority:	London Borough of Hounslow
Date of advice:	30 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 the Governing Body for The Rosary Catholic Primary School, for 2025.

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

The referral

1. The Governing Body (the Admission Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for The Rosary Catholic Primary School (the School) for 2025.
2. The School is a voluntary aided primary school for children aged 3-11 years in Heston.
3. The School is located in the London Borough of Hounslow (the local authority, the LA). It is a co-educational school with a Roman Catholic religious character. The religious authority for the School is the Archdiocese of Westminster (the Diocese).
4. The School was judged to be 'good' by Ofsted at its last inspection in November 2023.
5. Parties to the request are the Governing Body, the LA and the Diocese.
6. The proposed variation is to reduce the published admission number (PAN) from 60 to 30 for admissions to the Reception Year (YR) in 2025/26.

Jurisdiction and procedure

7. 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”.

8. The Arrangements were determined by the Admission Authority on 23 January 2024.
9. The Admission Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code.
10. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
11. In considering the variation request, I have had regard to all relevant legislation and the Code.
12. The information I have considered in reaching my decision includes:
- the referral from the Admission Authority dated 17 March 2025, further information provided at my request and supporting documents;
 - the determined Arrangements for 2025/26 and the proposed variation to those Arrangements;
 - responses from the LA and the Diocese to my requests for further information;
 - maps showing the location of the School; and

- information available on the websites of the Department for Education (DfE), including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT); the LA; the School; the Diocese and Ofsted.
13. I would like to extend my thanks to the Governing Body, the LA, the School and the Diocese for their responses to my requests for further information.
 14. 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.
 15. I note here that the Arrangements for 2026/27 have been determined. This means that, if I agree to the Admission Authority's request to vary the Arrangements for 2025/26 by reducing the PAN from 60 to 30, it will be for that year only and it will not have a bearing on subsequent years.

Consideration of proposed variation

16. 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.
17. The Arrangements set out the following oversubscription criteria, in summary:

"Children with an Education, Health and Care Plan (EHCP) that names the school must be admitted. Where there are more applications for places than the number of places available, places will be offered according to the following order of priority:

 - a. Catholic 'looked after' children and previously 'looked after' children;
 - b. Baptised Catholic children with a Certificate of Catholic Practice, who are resident in the Parish of Heston, Osterley and Cranford;
 - c. Other baptised Catholic children with a Certificate of Catholic Practice;
 - d. Other baptised Catholic children;
 - e. Other 'looked after' children and previously 'looked after' children;
 - f. Children of catechumens and members of an Eastern Christian Church;

- g. Children of Christians of other denominations with a Baptismal Certificate or a Certificate of Dedication or whose application is supported by a letter from their minister, confirming membership of the parish community;
- h. Children of other faiths whose application is supported by a letter from a religious leader, confirming membership of the faith community; and
- i. Any other children.”

18. The Admission Authority said that it was requesting “a temporary reduction in PAN from 60 to 30 for admissions in 2025” for the following reasons:

“... due to low pupil numbers indicated on SAM¹ and from our Supplementary Information Forms. ... Financially we will not have to appoint two teachers to teacher potentially only 35/36 children.”

19. The LA supports the proposed variation. It stated:

“The Local Authority supports the request for The Rosary Catholic [Primary] School to temporarily reduce its Reception PAN from 60 to 30 for the academic year 2025/26. The request comes as a result of discussions in LA termly place planning meetings with area headteachers. Hounslow’s approach is to work in collaboration with community, VA and academy schools. ... Due to the high level of surplus across the area, the LA’s duty to provide a sufficiency of places is not affected if the variation is agreed.”

20. In addition, the Diocese stated:

“The Diocese are in support of this variation as it will ensure that the school is able to effectively deploy their financial and other education resources to meet the needs of pupils.”

21. I am conscious that parents have applied for places in reception year (YR) in the expectation that the PAN for the School will be 60. In these circumstances, if parental preferences were to be frustrated by the reduction in PAN, there would need to be strong justification for agreeing the proposal.

22. 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.

¹ The School has confirmed that SAM stands for ‘School Access Module’. This is used by the School as part of the admissions process as it enables the School to see live information held by the LA.

23. 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 look at the geographical context and the information available relating to the demand for places. GIAS describes the School as being in an “Urban major conurbation”. The LA tells me that there are 15 primary schools which admit children to YR within two miles of the School and seven others within three miles.

24. The LA has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty, it assesses the likely future number of places to be needed and plans to meet that need. The School is one of ten schools for primary age pupils in the Heston & Cranford planning area, nine of which admit children to YR. The local authority has provided me with the following data regarding admissions to those schools, together with forecasts for 2025/26 and 2026/27.

Table 1: The number of children admitted to YR in the Heston & Cranford planning area (data provided by LA 02 April 2025)

	2022/23	2023/24	2024/25	2025/26	2026/27
Sum of PANs for YR	780	780	720	720	690
Total number of children admitted to YR (autumn census) or forecast to be admitted	585	621	544	565	566
Vacant places	195	159	176	155	124
Vacant places as a percentage	25.0	20.4	24.4	21.5	18.0

If the proposed variation is approved for 2025/26

	2025/26
Sum of PANs for YR	690
Vacant places	125
Vacant places as a percentage	18.1

25. From the data in table 1, I can see that, over the last few years, there has been a very large number of surplus places in YR in the area. I am satisfied that if the proposed variation for 2025/26 were approved, there would continue to be sufficient places within the local area for any children whose parents are seeking a place for them in YR during 2025/26.

Table 2: The number of children allocated a place in YR at the School (data provided by LA 02 April 2025)

	2022/23	2023/24	2024/25	2025/26
PAN	60	60	60	60
Number of first preferences	39	37	33	29
Number of children admitted to YR	55	53	43	n/a
Vacant places	5	7	17	n/a
Vacant places as a percentage	8.3	11.7	28.3	n/a

26. When applying for school places, parents can state preferences for different schools. A first preference is the school to which a parent would most like their child to be admitted. Table 2 shows that the number of first preferences and the number of children admitted to the School has decreased over the last three years. However, over the same period, more children have been admitted to the School than the number of first preferences.

27. If the PAN is reduced to 30 for admissions in September 2025, a place would be available for all the families who selected the school as their first preference.

28. On 15 April, the LA told me that 30 YR places would be offered on primary National Offer Day (16 April) and one child would be placed on a waiting list. As the PAN was 60 at the time, placing a child on the waiting list, rather than offering the 31st place, appeared to be in breach of the law relating to admissions and in breach of the provisions of the Code. Paragraph 3.6 of the Code (as above) is clear that 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 the Code, admissions law, a determination of the Adjudicator or any misprint in the arrangements. None of these exemptions appeared to apply at that point in time.

29. Following further enquiries, the LA subsequently confirmed on 28 April that:

“... the child on the waiting list is being offered their place. Although parents have until 30th April to accept or decline their offer, the current position is ... Reception numbers at this stage are under 30, with no further children on the waiting list.”

All other applications naming the school received an offer of a place at a higher preference school.

30. A PAN of 30 for 2025/26 is, therefore, sufficient to accommodate the children whose parents wish for them to attend the School.

31. The provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) 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. As schools are largely funded in relation to the number of pupils on roll 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 fewer 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 cause, or exacerbate, financial difficulties for a school. Being able to reduce the number of staff and make a financial saving are reasons given by the Governing Body for requesting the variation.

32. Although the number of children now forecast to start YR in September 2025 is fewer than 30, if the proposed variation for 2025/26 is not agreed, then any late applications or in-year admissions will have to be admitted until the number of children admitted to YR is 60. Any such admissions could necessitate a reorganisation of classes to avoid breaching the infant class size regulations and result in logistical and financial challenges for the School.

33. With regard to the School's financial situation, the DfE's FBIT website shows that, in March 2024 the School had an in-year balance of £10K and a revenue reserve of £163K. While these figures show a small positive balance, the School has identified that potentially having to provide two YR classes, each with numbers well below 30, would likely cause the School to have a deficit budget and impact on its wider ability to meet pupils' needs. If the number of children in YR is limited to 30, then the School will be able to plan with certainty that in September 2025 it will need staffing for one YR class.

34. Taking everything into consideration, I am of the view that the variation is justified by the circumstances and I approve the proposed variation.

35. I note here that reducing the PAN does not reduce the overall capacity of the School. It is not being suggested that accommodation is being removed and so the physical capacity of the School remains the same. Reducing the PAN will not change that. What this means is that should there be a need for the School to increase its PAN or admit more children in 2025/26 than it currently expects to, there remains the capacity in the building for it to do so.

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 the Governing Body for The Rosary Catholic Primary School, for 2025.

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

Dated: 30 April 2025

Signed:

Schools Adjudicator: Catherine Crooks