Office of the Schools Adjudicator

Determination

Case reference: **VAR2598**

Admission Authority: **Hampshire County Council for The Henry Cort Community College, Fareham**

Date of advice: **8 July 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 The Henry Cort Community College for 2025/26.

I determine that for admission to Year 7 in 2025/26, the published admission number shall be 150.

The referral

1. Hampshire County Council (the Local Authority (LA)) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for The Henry Cort Community College (the School) for 2025/26.

2. The School is a community school for children aged eleven to sixteen in Fareham. It is a co-educational, non-selective school with no designated religious character. The School was judged as requiring improvement by Ofsted at its most recent inspection in June 2023.

3. Parties to the request are the Local Authority and the Governing Body of the School.

4. The proposed variation is to reduce the published admission number (PAN) from 180 to 150 for admissions to Year 7 in 2025/26

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 were determined by the Local Authority, which is the Admission Authority, on 20 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.

8. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

9. The information I have considered in reaching my decision includes:

   - the referral from the Local Authority dated 25 June 2025 and supporting documents;
   - the determined arrangements for 2025/26 and the proposed variation to those arrangements;
   - responses from the Local Authority and the School to my requests for further information;
   - a map showing the location of the School; and
   - information available on the websites of the Department for Education (DfE) including 'Get Information About Schools' (GIAS), and 'Financial Benchmarking and Insights Tool' (FBIT); Ofsted; the LA and the School.

10. 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.

11. I note here that the arrangements for 2026/27 have been determined. This means that if I agree to the Local Authority's request to vary the arrangements for 2025/26 by reducing the PAN as proposed, it will be for that year only and will not have a bearing on subsequent years. The arrangements for 2026/27 have determined that the PAN will be 180.

Consideration of proposed variation

12. The Local Authority has proposed that the PAN of the School is reduced from 180 to 150 for entry to Year 7 in September 2025. The proposed variation has the support of the School's Governing Body.

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 includes information about the wider town and school context that is relevant to my decision. The referral states:

    "The Published Admission Number (PAN) at The Henry Cort Community College for the 2025/2026 academic year is currently 180. For the September 2025 admissions round, the school currently has made 143 offers.

    The Henry Cort Community College sits within the Fareham North/ West planning area which consists of 2 schools, the other being Brookfield Community School. The total spaces available in this planning area is currently 540. There are two school place planning areas across the town of Fareham, with a pattern of movement across the catchments at several of the schools, so … information pertaining to the Fareham Central/ East planning area has also been included (Cams Hill School, Crofton School, Fareham Academy and Portchester Community School). The total spaces available in this planning area is 804. This brings the total for the two planning areas up to 1344. Historically, several of these schools make offers over PAN each year.

    In 2024, Hampshire began a consultation on relocating The Henry Cort Community College to a new 900 place school building being built to serve the new housing development of North Whiteley and the existing Whiteley community. Currently, over

300 children from the Whiteley community travel daily to their catchment school, The Henry Cort Community College.

Long-term school forecasts suggest that having both a new 900-place secondary school serving the wider Whiteley development and retaining The Henry Cort Community College would lead to a significant surplus of school places across Fareham.

Once the new North Whiteley school is open in September 2027, and serving its local children, it was anticipated that the demand for places at The Henry Cort Community College will reduce significantly. Further confirming that there are not enough children in the local area to support two schools.

The final decision to relocate the school was made at the Executive Lead Member for Children's Services Decision Day in April 2025 where it was approved.

Historically, The Henry Cort Community College … experiences a lot of spaces being declined following national offer day. On national offer day for September 2025 admissions, the school made 168 offers, however 35 of these offers were allocations made as a result of parents not getting any of their preference schools and their child being allocated a place at their catchment or next nearest school with space.

This movement has led to the school currently having only 143[1] offers out to children. As further late applications are made to other schools within the wider area, this number is anticipated to reduce further.

This change in circumstances will mean that retaining the PAN of 180 and providing a 6-form entry class structure is not sustainable. As the school currently only has 143 offers, this suggests that there will only be 24 students in each tutor group, which will place the school in a financially vulnerable position.

A reduction in the PAN to 150 would allow the school to run a 5-form entry structure with 28/29 students in each tutor group. This would create fuller classes, ensuring the school remains viable whilst also ensuring a small and manageable surplus that would support any further late demand in the local area.

… The LA is concerned about low intakes in September 2025 and September 2026 creating significant financial challenges for the school ahead of the relocation, but also for several years after as those low numbers continue to work their way through the school. A reduction for September 2025, allows the Headteacher and Governing Body to plan for that eventuality with their staffing, resources and curriculum organisation, which will help the school to avoid moving into a deficit budget position.

[1] As of 30 June 2025, this figure was 139 (updated data provided by the LA).

Furthermore, the school … has surplus places across all year groups, and uneven sized year groups. This has already caused financial difficulties for the school …"

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 180 to 150 for 2025. I have also considered the demand for places at the School, the reasons given for the change 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.

16. The Local Authority has a duty to ensure that there are sufficient school 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. As indicated in the referral form, the Local Authority uses planning areas, which are geographical areas each containing a number of schools, for this purpose. The School is located in the Fareham North/West planning area of the Local Authority, but I have also taken into consideration the data provided for the Fareham Central/East planning area. Across the two planning areas, there are six schools providing secondary education. The normal year of entry to these schools is Year 7.

17. Table 1 summarises the data supplied to me by the Local Authority for each of the secondary schools in the two Fareham planning areas; the number of children admitted in each of the previous three years; the number of places offered for 2025 and the forecast numbers for 2026.

Table 1: School places in the Fareham North/West and Fareham Central/East planning areas

	2022	2023	2024	2025	2026
The total PAN	1344	1344	1354	1354	1354
The number of children admitted to Year 7 or forecast to be admitted	1348	1390	1313	1372	1399
The number of vacant places	-4	-46	41	-18	-45
The number of vacant places as a percentage of the total number of places	-0.3	-3.4	3.0	-1.3	-3.3

18. Table 1 shows that on paper, at least, there are insufficient school places in the area for children requiring a Y7 place. However, as indicated by the Local Authority in their referral form, "historically, several of these schools make offers over PAN each year". The detail of this is set out in Table 2.

Table 2 Number of children admitted to Year 7 in each of the schools in the Fareham North/ West and Fareham Central/ East planning areas

	PAN	2022	2023	2024	2025**
Brookfield Community School	360	361	382	358	409
The Henry Cort Community College	180	194	194	153	139
Cams Hill School	240/250*	254	268	262	270
Crofton School	216	219	227	230	222
Fareham Academy	180	178	175	180	181
Portchester Community School	168	142	144	130	126
	1344/1354	**1348**	**1390**	**1313**	**1347**

* The PAN for this school increased by 10 pupils in 2024.
** As of 30 June 2025

19. On 30 June 2025, the Local Authority provided an updated picture on the number of offers made and accepted for September 2025. It confirmed that "Crofton and Cams Hill will maintain admissions limits at 222 and 270 respectively. Brookfield is managing back to 390 as children decline offers[2]."

20. Based on the latest figures, there are currently 83 surplus Year 7 places across the two planning areas. If the proposed reduction in PAN were agreed, this would reduce to 53 places; 11 at the School and 42 at Portchester Community School (Porchester).

21. The Local Authority has confirmed that, with the exception of the School and Porchester, all the other schools have children on a waiting list because of parental preference. It is possible, therefore, that the number of surplus places may reduce as any remaining appeals and late applications are processed. However, the Local Authority have assured me that the number of outstanding applications is small.

22. From the information above, and given that Fareham is an urban area with a number of schools within a three mile radius of the town centre, I am satisfied that if the PAN of the School were to be reduced to 150 for 2025, there would be sufficient places available in the planning area for any parents seeking a Year 7 place for their child.

23. I will now consider the demand for places at the School. Table 3 summarises Year 7 admissions to the School.

[2] On National Offer Day (3 March 2025) the respective offers made were Brookfield 418; Henry Cort 168; Cams Hill 270; Crofton 222; Fareham 180; Porchester 114; total 1372.

Table 3: The number of children admitted to Year 7 at the School

	2022	2023	2024	2025
The PAN for the School	180	180	180	180
The number of first preferences	148	134	139	96
The number of children admitted to Year 7 (places offered 2025)	194	194	153	139
The number of vacant places	-14	-14	27	41
The number of vacant places as a percentage	-7.8	-7.8	15.0	22.8

24. Table 3 shows that all the children whose parents identified the School as their first preference have been offered a place there for September 2025. The proposed variation will, therefore, have no effect on parental preference in respect of applications received as part of the normal admissions process for September 2025.

25. If the PAN were to be reduced to 150, there would be 11 surplus places in Year 7 at the School. Based on information provided by the Local Authority, three or four of these spaces are likely to be allocated following appeals and/or late applications. However, the Local Authority state that the School "may have further declines, potentially increasing local capacity in the area". I am, therefore, satisfied that there would be a Year 7 place available, either at the School or at one of the other schools in the local area, for any child who requires it.

26. 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 £9.5K and a revenue reserve of £323K. The Governing Body provided the following additional information in relation to the School's financial position:

"Due to pupil numbers, if the variation is not agreed, we will not have the funding to deliver a sustainable timetable for the pupils on roll. Our 3-year budget prediction indicates it is not financially viable to run a 6-form entry timetable, with initial group sizes of 23 and surplus places to admit up to another 41 students mid-year. Even planning for a 5-form entry timetable, we are anticipating a deficit of £404,145 across the next two years (based on estimated numbers of 150 into Year 7) and we will need to take further action to address this, in line with our strategic responsibility to ensure financial viability.

Due to the planned relocation of our school to Whiteley, we are experiencing greater turbulence and it is possible that we will see a further reduction of student numbers in all year groups over the next couple of years, further exacerbating our challenges. Agreeing the requested variation to the PAN would give us some stability and help us to run a viable timetable."

27. I am of the opinion that by agreeing to the proposed reduction in PAN, school leaders will be able to plan ahead with greater certainty knowing that the School will have five forms of entry for this year group. This, in turn, will help to secure the School's future financial situation.

28. Taking everything into consideration, I am of the view that the variation is justified by the circumstances, and I approve the proposed variation to reduce the PAN for 2025/26 to 150.

Determination

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 The Henry Cort Community College for 2025/26.

30. I determine that for admission to Year 7 in 2025/26, the published admission number shall be 150.

Dated: 8 July 2025

Signed:

Schools Adjudicator: Catherine Crooks