



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2592, VAR2593

Admission Authority: Bridge Education Trust for Shirley Warren Primary and Nursery School

Local Authority: Southampton City Council

Date of advice: 17 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 Bridge Education Trust for Shirley Warren Primary and Nursery School, for 2025/26. I determine that the published admission number shall be 45.

I also approve the proposed variation to the admission arrangements determined by Bridge Education Trust for Shirley Warren Primary and Nursery School, for 2026/27. I determine that the published admission number shall be 45.

The referral

1. Southampton City Council (the LA), on behalf of Bridge Education Trust (the Admission Authority), has referred to the adjudicator a proposal for a variation to the admission arrangements for Shirley Warren Primary and Infant School (the School) for 2025 and 2026 (the Arrangements).
2. The School is a community school for children aged 2 to 11 in Southampton. It is a co-educational non-selective school with no designated religious character. It is part of the Bridge Education Trust (the Federation) with five other primary schools in Southampton.
3. The School was judged to be “Requires Improvement” by Ofsted at its last inspection in November 2022.
4. Parties to the request are the Admission Authority, the School and the LA.

5. The proposed variations are that:

- the published admission number (PAN) be reduced from 60 to 45 for admissions to Reception Year (YR) in the academic year beginning in September 2025 (VAR2592); and
- the PAN be reduced from 60 to 45 for admissions to YR in the academic year beginning in September 2026 (VAR2593).

Jurisdiction and procedure

6. 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”.

7. The 2025/26 Arrangements were determined by the Admission Authority on 23 January 2024. The 2026/27 Arrangements were determined on 21 January 2025.
8. The Admission Authority has provided me with confirmation that, through the LA, the appropriate bodies have been notified of the proposed variation in line with the Code.
9. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
10. In considering the variation requests, I have had regard to all relevant legislation and the Code.
11. The information I have considered in reaching my decision includes:
- the referral from the LA on behalf of the Admission Authority dated 15 May 2025 and supporting documents;

- the determined Arrangements for 2025/26 and 2026/27 and the proposed variation to those Arrangements;
 - responses from the LA and the School to my requests for further information;
 - maps 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 LA the School and Ofsted;
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 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.
13. I note here that the Arrangements for 2027/28 have not yet been determined. This means that if I decide to vary the Arrangements for 2026 by reducing the PAN from 60 to 45 as proposed, it will have the effect of forming the 'baseline' for subsequent years.

Consideration of proposed variation

14. The Admission Authority has proposed that the PAN of the School is reduced from 60 to 45 for entry to YR in September 2025 and 2026. The proposed variation has the support of the School's Governing Body and the LA.
15. 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.
16. The major change of circumstances relied upon by the LA is set out in the referral which states:
- "there has been a significant reduction in the number of Year R pupils requiring placement. As this has effected the intake into current Year R and the incoming Year R at Shirley Warren Primary and Nursery School, the school have identified the ability to merge some of their EYFS / KS1 classes to both address the reduced numbers and allow for higher quality differentiation in the EYFS. To not do would potentially see the school over staffed, putting strain on the school and pushing it into financial deficit."
17. The Admission Authority told me that the reason for it seeking a variation for the School

is to address the increasing financial challenges faced by the School. The Admission Authority assesses that reducing the PAN will:

- enable the merger of classes in Year 1 to make further improvements to the quality of teaching and learning with specific reference to adaptations and differentiation, including for those children with special educational needs, offering them access to an Early Years setting; and
- enable the school to reduce the number of full-time equivalent teachers, helping to reduce the school's budget deficit.

In the view of the Admission Authority, the current structure in the School, based on a PAN of 60, is unsustainable jeopardising the future of the School.

18. The LA supports the PAN variation requested. Within the notification of the proposed variation sent to appropriate bodies the LA confirms that the reduction of PAN from 60 to 45 will not impact on the statutory duty of the LA to provide sufficient school places within the planning area. The LA states that:

“No pupils will be unplaced as a result of the variation at Shirley Warren Primary and Nursery School and vacancies at good and outstanding schools remain in the local area so no disadvantage will be caused by the variation”

19. I have considered the latest available data to form a view about the sufficiency of school places in the local area if the PAN of the School is reduced from 60 to 45 for 2025/26 and, separately, for 2026/27. I have also considered the demand for places in the School, the reasons given for the change in demand, the potential effect of the proposed PAN reduction on meeting parental preference, and whether the proposed reduction is justified considering all relevant circumstances.
20. The LA has a duty to ensure that there are sufficient places for the children in its area. To fulfil this duty the LA assesses the likely future number of places to be needed and plans to meet that need. The LA uses planning areas, which are geographical areas, and the schools within the areas for this purpose. The School is in the “West” planning area of Southampton. There are fourteen schools in the West planning area, including the School. All of these schools admit children into YR.
21. Table 1 summarises the data provided to me by the LA for each of the primary schools in the planning area that admit children into YR; 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 and 2027.

Table 1: School places in the planning area and allocation to YR with no variation to the School PAN

	2022	2023	2024	2025	2026	2027
The total PAN	840	840	840	840	840	840**
The number of children admitted to YR or forecast to be admitted	809	769	775	731*	736	666
The number of vacant places	31	71	65	109	104	174

* 731 offers made on National Offer Day (16 April 2025)

** Not yet determined

22. It was clear from the data provided, that the LA has a picture of recent / projected demand in schools in its planning areas. It appeared to me that the matter raised in respect of the PAN at the School and the number of surplus places in the planning area projected for 2025 and 2026 would have been obvious in enough time for what has been requested to have been dealt with through the consultation process prior to the determination of the Arrangements.

23. Table 2 illustrates the LA's forecast for places at the schools within the planning area for the next three years.

School	2025/26		2026/27		2027/28		28/29	
	PAN	Forecast	PAN	Forecast	PAN	Forecast	PAN	Forecast
WEST - FORECAST GIVEN AS TOTAL SURPLUS OF AREA	840	104	840	174	840	140	840	140
Shirley Infant School	90	86	90	71	90	88	90	88
Hollybrook Infant School	60	52	60	43	60	60	60	60
Fairisle Infant and Nursery School	90	90	90	67	90	77	90	77
Newlands Primary School	60	49	60	50	60	45	60	45
Sinclair Primary and Nursery School	30	30	30	29	30	30	30	30
Tanners Brook Primary School	60	52	60	47	60	43	60	43
Mansel Park Primary School	60	36	60	35	60	33	60	33

School	2025/26		2026/27		2027/28		28/29	
	PAN	Forecast	PAN	Forecast	PAN	Forecast	PAN	Forecast
Redbridge Primary School	30	30	30	30	30	30	30	30
Wordsworth Primary School	90	73	90	72	90	69	90	69
Oakwood Primary School	60	58	60	43	60	56	60	57
Foundry Lane Primary School	60	60	60	58	60	57	60	57
Shirley Warren Primary & Nursery School	60	44	60	50	60	45	60	45
Mason Moor Primary School	30	24	30	23	30	21	30	21
Holy Family Catholic Primary School	60	52	60	48	60	46	60	45
	840	736	840	666	840	700	840	700

24. I note that within the forecast information provided by the LA in respect of the projected demand for places at the School in 2026 which, if I was to agree to reduce the PAN to 45 from 2026 appears to possibly result in parental preference not being met for five children. The LA states that:

“School level forecast information is less accurate than planning area totals. It is given to suggest likely preference trend”

25. I noted that the forecast for the School in 2025 was higher than the number of children allocated and that the number of first preferences for the School is typically below 40.
26. Given the deviation of forecasts and the significant number of surplus places in good or outstanding schools in the planning area, I am satisfied that it is likely that every parent who expresses a first preference for the School will be allocated a place and that even if there are no places available at the School, there is adequate provision for pupils within a short distance.
27. I have considered the impact of decreasing admission numbers on school finances balanced against the impact reducing the School's PAN will have on meeting parental preference. Parents have a right to express a preference as to where their children go to school. However, admission authorities cannot give any guarantee that preferences will be met. Additionally, infant class sizes are limited to 30 (as set out in The School

Admissions (Infant Class Sizes) (England) Regulations 2012 and in paragraph 2.16 of the Code). The cost of a teacher and the resources necessary for an infant class, when compared to, say, a junior or secondary school teacher / class (where numbers are not limited), has to be borne by proportionately smaller income from the children admitted to infant classes.

28. The Admission Authority has presented a compelling argument for the variation it proposes:

“The School has planned curriculum and organisation to teach mixed age classes that the Trust believe will support further improvements in teaching and learning with “specific reference to adaptations and differentiation for children with special educational needs and disabilities, offering them access to an Early Years Setting”.

The School will be able to reduce the number of full-time equivalent staff in the school to ease budget deficit challenge.

The School will be in a position to stabilise key stage 1 cohorts with a view to further school improvement in the journey from requires improvement to good or better.”

29. The School ended 2024-25 with a budget deficit of £326,108. This is unsustainable and can only start to be addressed through a reduction in staffing.
30. I accept that the LA has provided compelling evidence that it will be able to manage school places in the planning area by reducing the PAN at the School for 2025/26 and 2026/27.
31. I therefore, agree that the proposed variation is justified by the circumstances, and I approve the proposed variation to reduce the PAN for 2025/26 and 2026/27 from 60 to 45.
32. I note here that reducing the PAN does not reduce the overall capacity of the School unless accommodation is being removed from the premises. 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 and / or admit more children in 2027 than it currently expects to, there remains the capacity in the building for it to do so.

Determination

33. In accordance with section 88E of the School Standards and Framework Act 1998, I

approve the proposed variation to the admission arrangements determined by Bridge Education Trust for Shirley Warren Primary and Nursery School, for 2025/26. I determine that the published admission number shall be 45. (VAR2592)

34. I also approve the proposed variation to the admission arrangements determined by Bridge Education Trust for Shirley Warren Primary and Nursery School, for 2026/27. I determine that the published admission number shall be 45. (VAR2593).

Dated: 17 July 2025

Signed:

Schools Adjudicator: Mr Philip Lloyd