



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2597

Admission Authority: Bristol City Council for Bishop Road Primary School

Date of advice: 22 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 Bristol City Council for Bishop Road Primary School for September 2025.

I determine that the published admission number, for admissions to the Reception Year in 2025, shall be 90.

The referral

1. Bristol City Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Bishop Road Primary School (the School) for 2025 (the Arrangements).
2. The School is a community school for children aged three to eleven. It is a co-educational school with no designated religious character. The School was judged to be 'Outstanding' by Ofsted at its last inspection in November 2023.
3. 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 120 to 90 for 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 15 February 2024.
6. 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.
7. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
8. In considering the variation request, I have had regard to all relevant legislation and the Code.
9. The information I have considered in reaching my decision includes:
 - the referral from the Admission Authority, received on 20 June 2025, and supporting documents;
 - the determined Arrangements for 2025 and the proposed variation to those Arrangements;
 - responses from the Local Authority and the School, received on 7 and 8 July 2025 respectively, 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 for Education (DfE) (including the ‘Get Information About Schools’ (GIAS) and ‘Financial Benchmarking and Insights Tool’ (FBIT) websites), the Local Authority, the School, and Ofsted.

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 have been determined, and the PAN is set at 90. This means that if I agree to the Admission 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.

Consideration of proposed variation

12. The Local Authority has proposed that the PAN of the School is reduced from 120 to 90 for entry to Year R in 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 states:

“The decline in pupil numbers in North Bristol has sharpened significantly, meaning the school may be in a position in which a potential late application would require push our numbers to 91 requiring funding for an additional teacher and support assistant. There are currently places in a number of local schools meaning the PAN variation would not impact the allocation of places in the locality. The school have already worked with the [Local Authority] to consult and agree on a reduced PAN of 90 from September [2026] onwards and so this decision is commensurate with existing local strategy.”
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 120 to 90 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 places for the children in its area. To fulfil this duty the Local Authority assesses the likely future number of places needed and plans to meet that need. The Local Authority uses planning areas, which are geographical areas and the schools within those areas, for this purpose. The School is based in the planning area of 'Bishopston and Ashley Down, Cotham and Redland'.
17. I have considered the data that the Local Authority has provided for the planning area to which the School belongs, in which there are five schools (including the School) that admit pupils to Year R. The data set out in Table 1 show the number of Year R places and the number of pupils admitted to, or offered a place at, those schools. Table 1 also demonstrates the effect of the proposed PAN reduction for the School on surplus places in the planning area.

Table 1: Places available at schools within the planning area, and the number of children admitted to, or offered places at, those schools

	2022	2023	2024	2025
Number of places in Year R at schools in the planning area (with a PAN of 120 at the School in 2025)	390	360	360	360
Number of children admitted (2022, 2023, and 2024) or offered places (2025)	366	344	292	307
Vacant places	24	16	68	53
Vacant places as a percentage	6.2	4.4	18.9	14.7
Number of places in Year R if variation approved (with a PAN of 90 at the School in 2025)	NA	NA	NA	330
Vacant places if variation approved	NA	NA	NA	23
Vacant places as a percentage if variation approved	NA	NA	NA	7.0

18. 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 planning area has been far higher than this in recent years and would, according to the number of places offered, remain well

above this percentage if I agree the proposed variation.

19. I am satisfied that, if the PAN of the School were to be reduced to 90 for 2025, there would be sufficient places in the planning area for any children who might be seeking a Year R place in 2025/26.
20. 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, plus the number of places offered in 2025. This table uses the proposed PAN of 90 for 2025.

Table 2: The number of children admitted to the School in recent years, with the number of offered places for 2025

	2022	2023	2024	2025
The PAN for the School	120	120	120	90
Number of children admitted (2022-2024) or offered places (2025)	119	114	99	89
Surplus places	1	6	21	1

21. According to the Local Authority, 93 children were offered places, on National Offer Day in April 2025, for admissions to the School in September 2025; and 86 of such children has accepted the offers. There were several late applications subsequently; and among those three of such applicants were offered and accepted the places, while others had either withdrawn the applications or declined the offers. The latest data shows that the School is expecting to admit 89 children to Year R in September 2025. The proposed variation will, therefore, have no effect on parental preference in respect of applications received during the normal admissions round and late applications to date, as all applicants have been accommodated. The concern, if at all, relates to any further late or in-year applicants whose preference could be frustrated if the PAN is so varied.
22. Local Authority data show that none of the schools in the planning area offering Year R places is forecast to be oversubscribed for 2025. The School currently has a surplus of one place to accommodate any late or in-year applicant. Furthermore, according to the Local Authority, at least three other schools in the same planning area shown in Table 1 will have a number of vacancies for admissions to Year R (around 22 places); and they are located within two miles of the School. This will mean that, if the proposed PAN reduction is approved, any parents unable to secure an in-year place at the School will be able to secure a place for their child at an alternative local primary school within the planning area. For these reasons, I am satisfied that any adverse effect for late and in-year applicants will be minimal.

23. I will now consider the impact on the School of my approving, or not approving, the proposed variation.
24. 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.
25. As schools are largely funded on the number of pupils and the highest costs to a school budget are staff, it is generally considered 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.
26. The School has provided me with a breakdown of how its classes are currently organised. At present, the School has four classes in each year group from Year R to Year 6, with each class having no more than 30 pupils. The School has a clear long-term plan to transition to a three-form entry (3FE) school from September 2026.
27. The request for the variation refers to financial pressures faced by the School and the wish to align class organisation and staffing to the number of children. The request stated that if the variation request was not approved, the School may be required to create an additional class. The Local Authority described the associated implications of this as follows:

“[The School has] previously supported the LA in expanding their PAN for over a decade. With falling numbers the school’s PAN will reduce to 3FE from September 2026 however an unexpectedly sharp fall in pupil numbers in North Bristol has left the school with an anticipated 90 pupils on roll for September 2025.

An immediate reduction in the school's [PAN] is a fiscally responsible decision, directly addressing the unsustainable financial burden of maintaining a four-form entry (4FE) structure. The schools’ current projections indicate that sustaining 4FE until September would incur an additional cost of £240,000 to the taxpayer over just three years for the benefit of only one late applicant prior to September 2025.

In the context of current funding challenges in Bristol the loss of £240,000 from the school budget presents a significant and deeply problematic challenge to the school. The school have identified that this substantial deficit directly impacts their ability to provide a rich and comprehensive education. It will inevitably lead to difficult choices,

compelling reductions in vital teaching staff, limiting access to essential resources and learning materials, and curtailing extracurricular activities that enrich the pupil experience. Ultimately, this financial shortfall risks compromising the quality of education the school are able [to] offer, directly affecting pupil outcomes and the overall well-being of the school community.

This significant sum represents a direct drain on public funds that could otherwise be invested in crucial educational resources across the wider community. By aligning the PAN with sustainable enrolment figures, the school can ensure that it operates efficiently, delivering high-quality education without placing an unnecessary and substantial financial strain on the public purse. As the school is located in a city with other local schools in close proximity we believe this decision will not impact any children or families and would request an urgent decision to support this variation.”

28. The FBIT website shows that for the financial year ending March 2024, the School had an in-year balance of -£34.4K and a revenue reserve figure of £387.6K. The School provided supplementary information about its latest financial information as follows:

- “Following staffing cuts, Bishop Road is currently running a balanced budget for 2024/25 but are not predicting this for the next financial year where the school anticipate an end of year deficit.
- Anticipated further staffing reductions would have a considerable impact on the educational provision of the school, reducing support for children with SEND, pastoral needs and learning intervention. The school project these reductions, owing to the additional costs of a fourth Reception class, will lead to a significant adverse impact on KS 1 and KS 2 educational outcomes for pupils with intervention staff roles being reduced and cut.
- Financial long term forecast places the school at £400K deficit, prior to factoring the £250K impact of running a fourth class for the benefit of just one pupil.
- The financial impact of the fourth class further exasperates the planned capital expenditure to adapt and develop parts the school building as they meet accommodate a rise in SEND, alongside essential buildings works planned to facilitate the school’s future reduction to 3 forms of entry from September 2026.”

29. It is almost always the case that the largest proportion of a school’s expenditure is on staffing. The situation the Local Authority and the School wish to avoid is staffing classes of a size that are not financially viable. The intention of the School is to arrange its Year R children into three classes in 2025. If the variation is agreed, save in exceptional circumstances, this would result in a maximum of 30 children in each Year R class. If the PAN of 120 remains in place, then the School would be obliged to admit

up to 120 children if additional applications were received during the year. If numbers were to exceed 90, then it is likely that the School would need to reorganise its class structure, potentially resulting in logistical and financial challenges for the School.

30. Having considered all the matters above, my reasoning can be summarised as follows.

- If the proposed variation is approved, there will be no frustration of parental preference as all those for whom the School was their highest available preference were offered a Year R place at the School on National Offer Day; some frustration could potentially arise in the future as the reduced PAN may result in detriment to the children whose parents make a late or in-year application for entry to the School. However, I do not anticipate that there will be a large number of such applications. In any event, if any parents were unsuccessful in securing a place for their child at the School, they will likely be able to secure a place at another nearby school in the planning area. In time, the PAN reduction may help the School re-organise itself fully into a three-form entry structure, thereby achieving greater fiscal health.
- If the proposed variation is not approved, the School would be obliged to offer Year R places up to the existing PAN of 120 for late and in-year applicants during the rest of the 2025/26 academic year.
- There is compelling evidence that a reduction in the PAN to 90 would, in the longer term, improve the School's financial position. The reduction should also improve the School's ability to plan its organisational structure in order to meet the needs of the existing children on roll.

31. For all the reasons above, I have concluded that a reduction of the PAN to 90 for 2025 would provide greater stability for the School and its pupils and benefit the School financially.

32. I find that the variation for 2025 is justified by the circumstances and approve the proposed variation.

Other matters

33. In the interest of dealing speedily with this and the other requests for variations along the same or similar lines for schools, I have not considered other aspects of the Arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the Arrangements do or do not conform with the requirements relating to admissions.

Determination

34. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Bristol City Council for Bishop Road Primary School for September 2025.
35. I determine that the published admission number, for admissions to the Reception Year in 2025, shall be 90.

Dated: 22 July 2025

Signed:

Schools Adjudicator: Jackie Liu