



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** ADA4470

**Objector:** Hartlepool Borough Council

**Admission authority:** NEAT Academy Trust for St Hild's Church of England School

**Date of decision:** 30 July 2025

## Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2026 determined by NEAT Academy Trust for St Hild's Church of England School, in the local authority area of Hartlepool Borough Council.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the Schools Adjudicator. In this case I determine that the arrangements must be revised by 1 September 2025. This is because the application period for a Year 7 school place in 2026/27 opens on 1 September 2025.

## The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by Hartlepool Borough Council (the Objector, the Local Authority, the LA) about the admission arrangements (the Arrangements) for St Hild's Church of England School (St Hild's, the School) for September 2026. St Hild's is an 11 to 16 academy. It is a co-educational, non-selective, sponsor led academy within NEAT Academy Trust (the Trust). The School has a Church of England religious character and is part of the Diocese of Durham (the Diocese).

2. The objection is to the reduction in the School's published admission number (PAN) from 155 to 120 and the consequent potential impact on the Local Authority's ability to meet its statutory duty under section 14 of the Education Act 1996 to provide sufficient school places. The objection also raises concerns relating to the potential frustration of parental preference and additional travel costs that the Local Authority may incur as a result of the PAN reduction.

3. The parties to this objection are the Local Authority, the School, the Trust, and the Diocese.

4. This is one of two referrals made concurrently by the Local Authority. The two schools are located within different planning areas of the Local Authority but, as a geographically small local authority, many pupils attend schools that are not in the planning area in which they live. While each referral request is being considered independently of the other, and on its own merits, I am mindful of the potential impact that my determinations could have on the provision of secondary school places across the Local Authority area as a whole. In both cases, the Local Authority has made similar objections, specifically in relation to a reduction in the PAN for admissions to Year 7 from September 2026. The other school, English Martyrs School and Sixth Form Centre (English Martyrs School) has reduced its PAN from 250 to 210. This means that, across the Local Authority's area, there will be 75 fewer Year 7 school places available from September 2026.

## **Jurisdiction**

5. The terms of the academy agreement between the Trust and the Secretary of State for Education require that the admissions policy and arrangements for the School are in accordance with admissions law as it applies to foundation and voluntary aided schools. These arrangements were determined by the Trust, as the admission authority for the School, on that basis on 3 February 2025.

6. The Local Authority submitted its objection to these determined arrangements on 12 May 2025.

7. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

## **Procedure**

8. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).

9. The documents I have considered in reaching my decision include:

- a. a copy of the minutes of the meeting of the Trust Board at which the arrangements were determined;
- b. a copy of the determined arrangements;

- c. the Local Authority's form of objection (the objection form) dated 12 May 2025 supporting documents and additional information provided in response to my enquiries;
- d. the Trust's response to the objection, supporting documents and additional information provided in response to my enquiries;
- e. the Diocese's response to the objection and supporting documents;
- f. maps of the area identifying relevant schools;
- g. confirmation of when consultation on the arrangements last took place and details of the nature of the consultation; and
- h. a copy of the guidance on admissions provided to the School by the Diocese.

10. I would like to extend my thanks to the Trust, the LA and the Diocese for their responses to my requests for further information. Although I may not directly refer to it in my determination, I have read and taken account of all the information provided to me.

## The Objection

11. The objection is to the reduction in the School's PAN from 155 to 120 for the 2026/27 year of entry. Specifically, the objection raises concerns that the reduced PAN may:

- impact on the Local Authority's statutory duty to provide a sufficiency of places for children living within the School's planning area and the wider area covered by the Local Authority;
- reduce parents' ability to attend a school of preference; and
- result in additional travel costs for the Local Authority as school places may not be available within statutory walking distances.

12. The Objector has also alleged that the consultation process which was conducted before the Arrangements were determined was flawed, specifically in relation to part a) of paragraph 1.47 of the School Admissions Code, namely: "Admission authorities **must** consult with parents of children between the ages of two and eighteen".

13. I note here that it is open to an adjudicator to determine that there has been a failure to consult in accordance with the relevant legal requirements, and therefore a failure to comply with both the 2012 School Admissions Regulations and the Code. However, an adjudicator cannot impose a requirement upon an admission authority to re-consult after it has determined the arrangements even if the consultation has not been conducted in accordance with the requirements of the Regulations and the Code. Nor can the adjudicator require the admission authority to re-instate the previous year's arrangements.

## Background

14. The School is part of the NEAT Academy Trust, a multi-academy trust with eight academies that are located in the north-east of England. The School opened as an academy in April 2021. It was inspected by Ofsted in March 2024 when it was judged as 'requires improvement'. According to GIAS, the school has capacity for 991 pupils and currently has 670 pupils on roll.

15. Hartlepool Borough Council is a unitary authority located within the County of Durham. There are five secondary schools in the Local Authority's area split across three planning areas, as shown in Table 1

**Table 1: Hartlepool Borough Council planning areas and secondary schools**

Planning Area	School
North West	St Hild's Church of England School
North West	High Tunstall College of Science
Central and East	Dyke House Sports & Technology College
Central and East	English Martyrs Catholic School & Sixth Form College
South and West	Manor Community Academy

16. Information on the LA's website, explains that the secondary schools operate a 'partner primary school' system. This means that each primary school in the LA is linked to a designated secondary school. In the event that there are more applications for a secondary school than there are places available, priority is given to those pupils attending a linked partner primary school and living in the admission zone of that primary school.

17. The oversubscription criteria for the School can be summarised as follows once all children with an Education, Health and Care Plan (EHCP) naming the School have been offered a place:

- a) Looked after children and all previously looked after children.
- b) Children with siblings who are already at the Academy.
- c) Children who attend an identified partner primary school (Barnard Grove, Clavering, St Helen's, Throston, West View).
- d) Children with exceptional medical or social factors directly related to school placement.
- e) Children who live closest to the school.

Should it prove necessary to distinguish between children within criteria (b), (c) or (d), priority will be given to those who live nearest to the School.

18. The number of pupils forecast to be admitted to Year 7 in September 2025 is 119. Approximately 79 per cent of this cohort is from four of the School's five identified partner

schools. No children are forecast to join the School from Throston Primary School which shares a catchment area with another secondary school in the LA's area.

## Consideration of Case

19. The Trust provided me with details of the consultation that it undertook in relation to the School's Arrangements for 2026/27. The consultation was open from 6 December 2024 to 31 January 2025. This is longer than the minimum period set out in the Code and meets the requirements of paragraph 1.46 of the Code.

20. The Trust provided evidence that it had publicised the consultation through the use of social media postings and the School and Trust websites. It also consulted the following parties directly via email: local day nurseries; pre-schools; GP surgeries; parents of current pupils; local schools, including those named as partner primary schools; the Local Authority; other schools in the Trust; and the Diocese. I am satisfied that the Trust took reasonable steps to consult with the parties set out in paragraph 1.47 of the Code, including consulting with parents of children between the ages of two and eighteen. I, therefore, do not uphold the objection that the consultation process which was conducted before the Arrangements were determined was flawed.

21. The main change to the determined arrangements for 2026/27 was a reduction in PAN from 155 to 120 for admission to Year 7.

22. In deciding to determine a lower PAN for 2026/27, in February 2025, the Trust Board noted:

"The Local Authority indicated in their response to the consultation that there was need for places in the authority and was unhappy with the proposed PAN reduction. The CEO indicated to the board after analysis of the incoming feeder primary schools, a low intake was expected from feeder primaries. Applications for Year 7 in the current year were below the equivalent point for the previous year, suggesting a drop-in demand for places at St. Hilds School. The Local Authority's response lacked transparency of evidence and that the various responses to the consultation were systematic [sic] of pupil planning issues within the Local Authority."

23. In its objection form, the LA said:

"Within the consultation proposals the Trust stated 'current projections from Hartlepool Borough Council are for continued falls in pupil numbers within the Local Authority over the next five years'.

I am unsure when or where this statement was made by the LA as forecast data suggests from 2026/27 a steady number of year 7 places will be required within the North West planning area."

24. The LA goes on to say, in part:

“St Hild’s Secondary School is located within the North West planning area of the town. There is 1 other secondary school within this planning area, High Tunstall College of Science. If the determined PAN for 2026/27 is implemented there will undoubtedly be a shortfall of secondary places in this area. This will be significant for 2027/28 when a 23 place shortfall is expected.

Although St Hild’s has carried surplus places for some years, it is the only secondary school within the North West and Central and East planning areas with available capacity meaning if the 2026/27 reduction is implemented the LA would have insufficient places and could potentially incur transport costs if places are not available within statutory walking distances (Section 444 (5) Education Act 1996).

The reduction in PAN for the 2026/27 year of entry from 155 to 120 will impact on the LAs statutory duty to provide a sufficiency of places. A reduction would undoubtedly reduce parents’ ability to attend a school of preference.

Local Authorities have a statutory responsibility for ensuring there are sufficient school places in their area (s.14 Education Act 1996). Hartlepool is one of the smallest local authorities in England ... removing 135<sup>1</sup> [175] secondary places, over a 5 year period (plus 300<sup>1</sup> [200] secondary places at English Martyrs School), will make it impossible to carry out this function and address a shortfall of places given we don’t have corresponding authority to take key decisions affecting sufficiency.

The LA coordinates in year school admission requests for all schools. For the past 5 yrs these requests have increased year on year, not only for Hartlepool to Hartlepool schools but also from families re-locating from other areas of the UK and from overseas. Should the reduction of admission numbers be implemented for 2026/27, it would place the LA in a difficult position in being able to offer school places to these families.”

25. The Trust provided a detailed rationale for reducing its PAN, in part:

“The school is on a journey of improvement. One of the greatest challenges that the school faces to achieving further sustained school improvement comes from the instability caused by large numbers of pupils joining the school as in-year admissions. In addition, as a small secondary school, St Hild’s faces significant financial challenges and so is less able to adapt its staffing model to address significant fluctuations in pupil numbers.

The fluctuation between year group sizes makes establishing, sustaining and supporting a consistent curriculum model across the school very difficult to plan and implement. Numbers in the school at the time of consultation between year groups

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<sup>1</sup> I believe the figures quoted by the LA are inaccurate. A reduction of 75 places per year is equivalent to 375 places over a five-year period. 175 from St Hild’s and 200 from English Martyrs School.

varied between 102 and 147 pupils. Regulation of year group sizes across the school provided the best opportunity for a robust curriculum model to be developed and resourced.

The current PAN of 155 provides for a total pupil population of 775. The school pupil count was 634 at the October 2024 census. This provides a large scope for in-year admits [sic] that potentially cause instability to the school and makes the planning of appropriate staffing and curriculum models very difficult. Hartlepool Local Authority had not positively engaged in discussions with the School/Trust to 'lock down' in-year numbers in line with the Judicial Review ruling which recognises PAN as relevant only for point of entry (Year 7). Reducing Year 7 PAN in line with current intake numbers would provide the School with greater stability going forward and help it to focus on sustained school improvement that will have a massive benefit to the pupils at the school.

Whilst Hartlepool has named feeder primary schools there is also significant mobility across the town. These factors have led to lower numbers of pupils from the designated feeder primaries entering the school. A third of pupils come from a range of other local schools, and in the 2024 Yr7 intake there were pupils from 27 primary schools.

Modelling of current and future primary pupil numbers provided by the Local Authority in a Schools Forum paper in February 2024 identified that there was little change in Year 6 pupil number[s] expected in the coming years.

Year 7 pupils in the school at the 2024 October census (2024) w[ere] under the proposed PAN of 120 (118) and applications for 2025 are currently below the proposed PAN at 119. 1st choice parental preference over the 2024 and 2025 admissions cycle was significantly below the proposed PAN ensuring all 1st choice applications could be accommodated.

Within the wider Local Authority area, a number of secondary schools have increased their PAN in recent years and the Local Authority had not restricted school growth, resulting in a detrimental effect on the pupil numbers selecting St Hilda's.

Three responses were received which objected to the change in PAN: the Local Authority; a Feeder Primary Trust; and another local Secondary School. All three made claims about lack of availability for spaces in the area. None of them provided data which fundamentally altered or amended the modelling provided by the Local Authority or the internal data on Feeder Primary numbers currently at St Hilda's.

Three areas were highlighted by these responses:

- Pupil numbers in feeder primaries were remaining high and would, if anything, see increased demand. However, a third of intake at St Hilda's across the existing pupil population were from other schools.

- A strategic approach by the Local Authority to feeder primaries was urgently needed to ensure appropriate alignment with the secondary schools that are the first choices of the pupils that attend them. Mobility across the town meant that, although feeder primaries made up the majority of the admissions numbers to St Hilds, a wide range of other schools were represented.

- A lack of strategic oversight of the pupil planning numbers and the ability for schools across the Local Authority to 'off roll' without allowing schools to 'lock-down' in year numbers. This led to significant issues across Hartlepool and to St Hilds in particular, with recognition that the Local Authority needed to address this issue. This is impacting on the school's ability to achieve sustained school improvement.

There was no fresh evidence provided in the responses that altered the basis or interpretation of the pupil numbers in the Schools Forum paper of February 2024. In light of these responses, the Board of Directors believed that there had not been significant evidence provided to negate the analysis undertaken ahead of consultation. Given the need to support the school and provide school improvement in the context of a robust and stable curriculum and staffing model, the Board approved the reduction in the PAN for the 2026/27 admissions policy. However, it did so with ongoing openness to discuss admissions strategy and address localised challenges with the Local Authority in future years."

26. The Diocese confirmed its "full support of the Trust and school in seeking to do all they can currently to ensure a consistent and stable model for its pupils and staff". It said:

"We appreciate the need for sufficient places. However, we understand the reality is that the school has only taken in 118 in the current year 7 [2024/25 academic year] (2 less than the proposed new PAN of 120) and that future projections also suggest this will be sufficient for those who choose to attend the school. In light of this we do not consider the proposed reduction will reduce parent's ability to attend a school of preference. We also understand that neighbouring schools have increased PANs unilaterally and significantly in recent years resulting in additional capacity in the area. The school is operating in incredibly challenging conditions and it is vital that [it] is able to plan a consistent staffing model and approach to its curriculum to seek to ensure longer term stability. Significantly fluctuating numbers and extra capacity in year make this very difficult. We also recognise that this PAN will enable school to properly plan class sizes of an appropriate number and facilitate smaller nurture group for the many pupils who need this."

27. Many of the points raised by the LA and the Trust are disputed by the other party. I will consider some of these points in more detail below. However, I will start by considering the place planning data available to me and whether the reduction in PAN will impact on the LA's statutory responsibility for ensuring that there are sufficient school places in its area.

28. From the information shared with me, I can see that, while pupils attending identified partner primary schools are given priority within the oversubscription criteria, pupils are admitted to each secondary school from a wide range of primary schools located across the



borough. Given the small size of the Local Authority, and the location of the secondary schools, it makes sense for me to consider secondary provision across the LA area rather than by individual planning area. Table 1, therefore, shows the sum of the PANs for the secondary schools and number of Year 7 places, from census or forecast data, across the Local Authority between 2023/24 and 2029/30.

**Table 1: Year 7 places across the Local Authority (including the PAN reductions determined by the School and English Martyr's School)**

	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>
The sum of the PANs for the LA's area	1215	1215	1195	1120	1120**	1120**	1120**
The number of children in Year 7 (from census or forecast data*)	1178	1105	1129	1110	1147	1100	1143
The number of vacant places in the LA	37	110	66	10	-27	20	-23
The proportion of vacant places as a percentage of the sum of the PANs	3.0	9.1	5.5	0.9	-2.4	1.8	-2.1

\* Updated forecast data provided by LA 3 July 2025

\*\* Assuming no further changes as these PANs have not yet been determined

29. The DfE document, "Basic need allocations 2025-26: Explanatory note on methodology" (DfE guidance), refers to the need for two per cent surplus capacity "to provide an operating margin for local authorities ... to support parental choice, pupil population movement, and general manageability of the system". However, the 2023 DfE publication "Securing developer contributions for education" notes that local authorities may apply different operating margins at different levels, such as planning area or local authority level, to reflect their local circumstances."

30. The LA highlight the number of children requiring an in-year admission to schools in the LA. It stated:

"During the 2023/24 academic year, the LA received a total of 886 in year admission applications. 564 of these requests were from families moving into Hartlepool from other areas of the UK and from overseas. So far, this academic year (to June 2025), we have received a total of 706 requests. Although some inward migration is factored into the forecast numbers, the amount of requests have increased year on year for the last 3 years."

31. Table 1 clearly shows that for admissions from 2026 onwards the proportion of surplus places is below the two per cent operating margin suggested by the DfE, indeed in some years there is forecast to be a shortage of places. This situation could be exacerbated should additional places be required due to families moving into the area.

32. The data in Table 1 shows that the number of children forecast to enter Y7 over the next few years reduces from a high in 2023/24 and fluctuates year to year. However, between 2023/24 to 2029/30, the reduction in pupil numbers is in the region of 3 per cent. This is in line with the view expressed by both the Trust and the LA that pupil forecast numbers remain relatively steady over time.

33. As noted above, the reduction in PAN of 75 places across the LA area is due to two schools determining lower PANs for 2026/27. The School's reduction in PAN is for 35 places. Table 2 sets out the impact across the Local Authority if the number of available places were reduced by 35 places.

**Table 2: Year 7 places across the Local Authority (including only the PAN reduction determined by the School)**

	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
The sum or the PAN for the LA's area	1215	1215	1195	1160	1160	1160	1160
The number of children in Year 7 (from census or forecast data)	1178	1105	1129	1110	1147	1100	1143
The number of vacant places in the LA	37	110	66	50	13	60	17
The proportion of vacant places as a percentage of the sum of the PANs	3.0	9.1	5.5	4.3	1.1	5.2	1.5

34. Table 2 shows that, with a combined PAN of 1160, there will be insufficient places in the Local Authority to meet the minimum DfE recommendation of two per cent surplus places in 2027/28 and 2029/30. Once a PAN has been set, the LA has no power to require the admissions authority to increase it.

35. The admission arrangements referred to me are for 2026/27. A combined PAN of 1160, with the School PAN set at 120, would appear likely to provide sufficient Y7 places in 2026/27 for all children who may require a place. However, I must consider whether there will be sufficient capacity to meet the forecast demand for places in future years, such as 2027/28. This is because, in the specific case of the setting of PANs, the legislation

expressly provides that maintaining or increasing a PAN is not a matter which may be referred to the adjudicator.

36. As the forecast data is the basis for the LA's school capacity return to the DfE for 2025, there is no reason to suppose that it is unreliable. I also recognise that the data is a forecast, based on the information currently available, and may change over time. I am satisfied that with a combined PAN of 1160, there are likely to be insufficient places available across the LA in 2027/28 to meet the minimum DfE recommendation of two per cent surplus places. This creates a risk that there will be a need for places which will have to be met by the creation of additional capacity elsewhere at public expense.

37. From data provided, the School does have a considerable number of surplus places across all current year groups. This has led to concerns about pupil mobility. For example, during the 2023/24 academic year, 50 pupils were admitted to the School and 74 pupils left. High levels of pupil mobility can cause disruption within a relatively small secondary school and may well have an impact on curriculum planning, staffing levels and financial planning. However, the LA is concerned that with a lower PAN in-year admission applications could be refused by the School, resulting in 'costly' appeals and longer journeys to school as the majority of surplus places would be 'in the south of the town'.

38. The LA is taking action to try to minimise 'Hartlepool to Hartlepool' in-year admission. However, it rightly notes that 'parents should not be discouraged from applying for places.' Indeed, paragraph 2.23 of the Code states, in part:

"A parent can apply for a place for their child at any school, at any time."

39. As the Trust notes, a PAN only applies to the 'relevant age group'<sup>2</sup>, in this case Y7. A PAN does not, therefore, exist for other year groups. An admissions authority may refuse admission to a year group where the admission of another child would prejudice the provision of efficient education or efficient use of resources. For example, it may be possible to show that admitting another child into a particular year group would require the School to reorganise its classes and incur additional staffing costs, therefore, having a disproportionate effect on the efficient use of resources.

40. The Trust and the Diocese both raise concerns that the issue of surplus places has been exacerbated further by other schools within the LA increasing their PANs 'unilaterally and significantly in recent years resulting in additional capacity in the area'. I have not been provided with any specific details in relation to this. However, I note from the data in Table 1 that the combined PAN for the LA has not increased since 2023 and, in fact, decreased by

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<sup>2</sup> This is the age group at which pupils are or will normally be admitted to the school e.g. reception, year 7 and year 12 where the school admits external applicants to the sixth form (Section 142 of the SSFA 1998).

20 in 2025. As already noted, the LA cannot object to a school keeping the same or increasing its PAN.

41. Although I have considered the issues of surplus places in the School, my jurisdiction is restricted to making a determination about the objection to the admission arrangements for September 2026 and whether a PAN of 120 will impact on the LA's ability to provide sufficient Y7 places for all pupils who are forecast to require one.

42. I will now consider the LA's concern that the reduction in PAN will impact on parental preference.

43. Table 3 provides a summary of parental preferences for entry in September 2025 and the previous three years. It shows that over that time, both the number of preferences and the number of children allocated a place at the School has fallen.

**Table 3: Information about parental preferences at the School**

	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
PAN	155	155	155	155
Number of first preferences	-	118	88	78
Total number of preferences	-	232	225	192
Number of places allocated to children from identified partner primary schools	-	121	101	94
Number of places allocated	150	150	118	119

44. From the data in Table 3, a PAN of 120 would have been sufficient to have met all the parental first preferences made in each of the last three years, although, as the LA rightly notes, all applications are given equal preference, so second or third preferences may be admitted where higher preferences are not successful.

45. The LA also rightly notes that:

"Parental preference shifts in patterns and is not guaranteed to remain the same year on year as schools change leadership, reputation, etc."

46. With regard to additional travel costs, the LA are concerned that if there are no places available at the School due to the reduction in PAN, places at other schools may not be available within statutory walking distance (three miles for secondary age children).

47. Three of the secondary schools in the LA are typically oversubscribed (High Tunstall, Dyke House and English Martyrs School). With a PAN of 120 at St Hild's, the only school likely to have some surplus capacity in 2026/27 would be Manor Community Academy, located to the south of the LA.

48. As stated earlier, the Local Authority covers a relatively small geographical area and most children will live within three miles of most of the schools in the LA. However, the LA provided an example scenario of a child living towards the north of the area who is less than a mile from St Hild's but over four miles from Manor Community Academy. If Manor

Community Academy were the only school in the LA with places, this would require the LA to provide travel assistance, incurring additional costs to the Local Authority. The LA's transport team have estimated that the cost per child would be around £380 per year, on public transport. However, should the child have significant additional needs, taxi transport would cost around £4000 per year per pupil.

49. I, therefore, find that there is a risk, albeit for a limited number of children, of the LA incurring additional transport costs as a result of the reduction in PAN.

## Summary of Findings and Conclusion

50. I find that:

- There will be 75 fewer Year 7 school places available in the local authority from September 2026. This is because two of the five secondary schools in the local authority have determined a lower PAN.
- As a result of the lower PANs, from 2026 onwards, the proportion of surplus places in Year 7 will be below the two per cent operating margin suggested by the DfE, indeed in some years there is forecast to be a shortage of places.
- The number of Year 7 places required across the LA fluctuates from year to year. Between 2023/24 and 2029/30 there is forecast to be a three per cent reduction in pupil numbers.
- The number of places required across the Local Authority may increase if net migration into the area continues.
- If the sum of the Local Authority's PANs is reduced by 35 places, i.e. the School's reduction from 155 to 120 places, the Local Authority will not have the minimum two per cent surplus places in some future years, for example, 2027/28.
- Once a PAN has been determined by an admissions authority, the LA has no power to require it to be increased.
- The majority of children admitted to the School attend one of the identified partner primary schools (in 2025 this is forecast to be around 79 per cent). Children are also admitted to the School from a number of other primary schools across the Local Authority area.
- The School has been undersubscribed in recent years. The reduction in PAN is likely to have little or no impact on parental preference in the short to medium term.
- The numbers of pupils admitted to the School in 2024 (118) and forecast to be admitted in 2025 (119) are below that of the reduced PAN (120).
- There is some risk that the Local Authority will incur additional transport costs as a result of the reduction in PAN.

51. The School is the smallest secondary school in the LA and has surplus places across all year groups, creating different size cohorts. The School is experiencing high levels of pupil mobility due to many pupils joining or leaving during the academic year. The Trust's view is that this situation 'makes it very difficult to provide a stable learning environment and to achieve sustained school improvement'.

52. The Trust said:

"While the LA have need to consider the statutory requirement to provide for all pupils, the needs of St Hild's requires a reduction in PAN to provide stability to the school enable sustained school improvement."

53. While I have sympathy for the situation in which the School finds itself, I find that any justification to reduce the PAN of the school from 155 to 120 is outweighed by the evidence that the reduced PAN will impact on the LA's statutory duty, under section 14 of the Education Act 1996, to provide sufficient school places for children living within the Local Authority area. I, therefore, uphold this objection.

54. I note here that both the Trust and the Diocese indicate that:

" should there be a need the school can agree to admit over PAN and indeed increase its PAN should there be future issues with appropriate place planning which will mean the risks of parents being unable to attend a school of preference or the local authority being subject to increased travel costs could be avoided in the unlikely event the school receives excess applications over and above the reduced PAN in year 7."

55. However, while this commitment is welcomed, there is no legal basis upon which the LA can rely in order to require the Trust to increase its PAN. As a result, the LA cannot base its future school place planning provision on this proposal, and I cannot take it into consideration as a factor in my determination.

56. As local authorities must revise their forecast data annually, and admission authorities must determine their arrangements annually, the Trust will have further opportunities in years to come to consider whether a change in the PAN is supported by the data.

57. I am conscious of the challenges the LA faces in accurately forecasting pupil numbers, I also acknowledge the challenging circumstances in which the School finds itself and its desire to have greater stability in pupil numbers. I, therefore, wish to make it clear to the Trust that, as the admissions authority, it may wish to consider applying to the DfE for a PAN reduction variation for 2025/26 if it believes that there has been a major change in circumstances since it determined the admission arrangements for 2025/26. Additionally, the Trust could apply in 2026 for a PAN reduction variation for 2026/27, by which time it will have more information about the number of actual applications for Y7 places at the School for September 2026. Importantly, the School would still have time to make any necessary changes to their staffing and class organisation for September 2026.

58. As mentioned earlier in this determination, the Local Authority concurrently objected to another school within its area that had reduced its PAN in its 2026/27 admission arrangements. I have considered the circumstances and arguments put forward in separate determinations. However, for the sake of completeness, I note here that I upheld the objection in relation to English Martyr's School.

## **Determination**

59. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2026 determined by NEAT Academy Trust for St Hild's Church of England School, in the local authority area of Hartlepool Borough Council.

60. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the Schools Adjudicator. In this case I determine that the arrangements must be revised by 1 September 2025. This is because the application period for a Year 7 school place in 2026/27 opens on 1 September 2025.

Dated: 30 July 2025

Signed:

Schools Adjudicator: Catherine Crooks