



Office of
the Schools
Adjudicator

Determination

Case references: VAR2583 and VAR2594

Admission Authority: Reading Borough Council for Whitley Park Primary and Nursery School

Date of advice: 8 August 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 Reading Council for Whitley Park Primary and Nursery School, for 2025.

I determine that for admission to reception in 2025 the published admission number will be 60.

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Reading Borough Council for Whitley Park Primary and Nursery School, for 2026.

I determine that for admission to reception in 2026 the published admission number will be 60.

The referral

1. Reading Borough Council (the local authority) has referred to the adjudicator proposals for a variation to the admission arrangements for Whitley Park Primary and Nursery School (the School) for 2025 (the 2025 arrangements) and a variation to the admission arrangements for the School for 2026 (the 2026 arrangements).
2. The School is a community school for children aged three to eleven years. The proposed variations are that the published admission number (PAN) is reduced from 90 to 60 for admissions to reception year (YR) in 2025 and 2026.

Jurisdiction and procedure

3. 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”.

4. The 2025 arrangements were determined by the local authority on 17 January 2024. The 2026 arrangements were determined by the local authority on 15 January 2025. The local authority provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code. I have seen evidence that the governing body has been consulted on the proposed variations and supports them. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.
5. In considering the variation requests, I have had regard to all relevant legislation and the Code. The information I have considered in reaching my decision includes:
- a) the referral from the local authority dated 12 June 2025 for the 2025 arrangements including further information;
 - b) the referral from the local authority dated 17 June 2025 for the 2026 arrangements including further information;
 - c) the determined arrangements for 2025 and 2026 and the proposed variations to those arrangements;
 - d) responses from the local authority to my requests for further information and clarifications; and
 - e) information available on the websites of

- a. the Department for Education (DfE) including
 - 'Get Information About Schools' (GIAS); and
 - Find and compare schools and colleges in England (the DfE website);
- b. Ofsted;
- c. the local authority; and
- d. the School.

Consideration of proposed variations

6. If I agree the proposed variations, there will be no requirement for the local authority to consult on the PAN for future years for the PAN to stay at 60, other than the required consultation with the governing body. 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.
7. 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 variations are justified by the change in circumstances.
8. The local authority told me that the reason for it seeking variations for the School are that numbers of children being admitted have declined and this is creating budgetary problems for the School. The local authority also seeks to provide additional specialist provision for children with special educational needs in the space which would become available at the School if the variations are agreed.
9. I will first consider whether there would be sufficient school places in the area to meet demand if the PANs for 2025 and 2026 were reduced from 90 to 60, which would be a reduction of 30 places for each year. Local authorities have a duty to make sure that there are sufficient school places in their area. They normally assess demand on the basis of planning areas, which are geographical areas containing schools. The planning area for the School has seven schools which admit children to YR, including the School. Table 1 below provides information on demand for the schools in the planning area in recent years.

Table 1: data on admissions to schools in the planning area to YR

	2023	2024	2025
Sum of PANs	435	435	435
Number of first preferences	295	315	334

	2023	2024	2025
Number of children admitted and offers for 2025 as at 4 August 2025	354	377	355
Vacant places	81	58	80
SCAP prediction	346	357	370

10. SCAP refers to ‘school capacity survey’ which is a government system used across England by local authorities to inform their school place planning. The last line in table 1 therefore shows the numbers of children the local authority anticipated, or anticipates, needing a place for the relevant year. I note that the number of children admitted in 2023 and 2024, and the number of offers accepted for 2025, is above the number of first preferences received each year. A first preference is the school a parent most wants their child to attend. The difference in numbers can be explained by parents not being able to achieve their first preference or by other factors, such as parents applying late – perhaps because they have moved into the area.
11. Local authorities generally seek to maintain between three and five per cent vacant places to give flexibility to admit those who may move into the area. In 2024, the proportion of vacant places in the planning area was over 13 per cent, which is a generous proportion. On 4 August 2025, the number of offers accepted for admission to YR was 355, which would leave 80 vacant places. If the PAN for the School were reduced to 60 (so by 30) there would still be 50 vacant places in the planning area. Fifty vacant places would be over 12 per cent of the total number of places available, which is still a high proportion.
12. According to the DfE website, which provides distances in straight lines, there are six primary schools which admit children to YR within one mile of the School and 17 within two miles. The closest schools include those in the same planning area. Therefore if children were to seek admission to YR during the coming year, there would be school places available close by. I am assured that if the PAN for 2025 were reduced to 60, there would be sufficient school places for the children in the planning area.
13. The SCAP predicts demand for 355 school places for 2026 and 340 for 2027. These are similar numbers to those admitted in previous years and so I am assured that if the PAN for 2026 were to reduce to 60, there would be sufficient school places in the planning area.
14. I will now consider demand for the School. Table 2 provides a summary of the data on admissions to the School.

Table 2: the number of first preferences and the number of children admitted to YR at the School as per October census or expected to be admitted in September 2025

	2023	2024	2025
The PAN for the School	90	90	90
The number of first preferences	54	45	41
Number of children admitted to YR or offered to be admitted as at 4 August 2025	56	58	59
Number of vacant places	34	32	31

15. Table 2 shows that in recent years the number of vacant places has been above 30. Therefore if the PAN were reduced to 60, it is unlikely that parental preference will be frustrated. I note that there would be only one place available if the PAN were reduced to 60 for admissions in the 2025/26 academic year. However, as described above, there are sufficient places locally for children who may move into the area during the year in addition to the one place at the School.
16. The School is one subject to 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. The infant class size regulations apply to YR, year 1 (Y1) and year 2 (Y2). As staff costs are the major demand on a school budget, if there are classes that are many less than 30 pupils, the income received may not be sufficient to cover the expenditure required.
17. The School wishes to teach in year groups. A year group of 90 pupils would normally mean three classes for YR. A PAN of 60 would mean two classes for YR. If I do not agree to the variation for 2025, then it would remain possible for more children, up to 90, to seek a place at the School and they would have to be admitted. The School would have to arrange its classes so that it met the requirements of the Infant Class Size Regulations and this would not be cost effective if, say, 61 or 62 children were admitted to YR. This would create significant additional costs to the School as well as disruption to the class organisation.
18. I see no likely increase in demand for the School for admissions in 2026. If I agree the variation for 2026 now, then parents will apply in the knowledge of the PAN set and the School can organise its classes in advance. In addition, by agreeing to the variations for 2025 and 2026, the SEND provision which is being planned can go ahead in the knowledge that there will be sufficient classroom space to do so.
19. If I agree the variation for 2025, parental preferences are unlikely to be frustrated and there is sufficient capacity locally to meet demand for any children requiring a place during the coming academic year. The demand for school places is reducing so I am assured that there will be sufficient school places in 2026 and beyond. I believe that the

variations are justified by the circumstances and I agree the variations for 2025 and 2026.

Determination

20. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Reading Council for Whitley Park Primary and Nursery School, for 2025.
21. I determine that for admission to reception in 2025 the published admission number will be 60.
22. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Reading Borough Council for Whitley Park Primary and Nursery School, for 2026.
23. I determine that for admission to reception in 2026 the published admission number will be 60.

Dated: 8 August 2025

Signed:

Schools Adjudicator: Deborah Pritchard