



Office of
the Schools
Adjudicator

Determination

Case reference:	VAR2639
Admission Authority:	The governing body of Holy Trinity Rosehill Church of England Voluntary Aided Primary School
Local Authority:	Stockton-on-Tees Borough Council
Date of decision:	29 October 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 the governing body of Holy Trinity Rosehill Church of England Voluntary Aided Primary School, for September 2026.

I determine that the published admission number, for admissions to the Reception Year in 2026, shall be 30.

The referral

1. The governing body of Holy Trinity Rosehill Church of England Voluntary Aided Primary School (the Admission Authority; the School) has referred to the adjudicator a proposal for a variation to the admission arrangements for the School for September 2026 (the Arrangements).
2. The School is a voluntary aided school for children aged three to eleven, in the area of Stockton-on-Tees Borough Council (the Local Authority). It is a co-educational school with a Church of England religious character, and the religious authority for the School is the Diocese of Durham (the Diocese). The School was judged to be 'Good' by Ofsted at its last inspection in July 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 60, as determined, to 30 for September 2026.

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 Admission Authority on 10 October 2024.
6. The Admission Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
7. In considering the variation request, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decision includes:
- the referral from the Admission Authority dated 15 September 2025, and supporting documents;
 - the determined Arrangements and the proposed variation to those Arrangements;
 - responses from the Admission Authority, the Local Authority, and the Diocese to my requests for further information;
 - maps, including Google Maps and those showing the location of the School; and
 - information available on gov.uk websites (including the ‘Get Information About Schools’ (GIAS) and ‘Financial Benchmarking and Insights Tool’ (FBIT) websites); and the websites of the Local Authority, the School, and Ofsted.

9. 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.
10. I note here that the Arrangements of the School for 2027 have not yet been determined. This means that if I decide to vary the Arrangements for 2026 by reducing the School's PAN from 60 to 30 as proposed, it will have the effect of forming the 'baseline' for subsequent years.
11. In the interest of dealing speedily with this and other requests for variations 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.

Consideration of proposed variation

12. 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.
13. The Admission Authority has proposed that the PAN of the School be reduced from 60 to 30 in September 2026. The Diocese is supportive of the proposed variation.
14. The Admission Authority told me the following reason for it seeking a variation for the School:

“There is a falling birth rate in this school planning area and the school enquired about consulting to reduce their PAN with the local authority in the last admissions consultation round for 2026 admissions but decided not to do so ... However, since this decision was taken ... a local primary school, Hartburn Primary School, have increased their PAN from 75 to 90 for 2025 admissions. The impact of this has been clear in applications for reception places in 2025 with only [33] children joining Reception year in 2025. This increase in PAN of a nearby school is very likely to continue to impact on numbers applying for the school making planning staffing and appropriate class sizes very difficult going forwards without a reduced PAN of 30 being in place from 2026.”
15. 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 30 in 2026. 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. 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 Central Stockton Primary, and I have considered the data that the Local Authority has provided for that area.
17. In the planning area there are ten schools, including the School, for which the usual year of entry is Year R. The data set out in Table 1 show the number of Year R places and the number of children admitted to, or forecast to require 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: Year R places available at schools within the planning area, and the number of children admitted to, or forecast to require a place at, those schools

-	2024	2025	2026	2027
Number of places in Year R at the schools in the planning area (with a PAN of 60 at the School)	435	450	450	450
Number of children admitted (2024 and 2025), and forecast to require Year R places (2026 and 2027)	392	384	365	362
Vacant places	43	66	85	88
Vacant places as a percentage	9.9	14.7	18.9	19.6
Forecast number of places in Year R if variation approved (with a PAN of 30 at the School in 2026 and onwards)	NA	NA	420	420
Forecast vacant places if variation approved	NA	NA	55	58
Forecast vacant places as a percentage if variation approved	NA	NA	13.1	13.8

18. The ten primary schools within the planning area include Hartburn Primary School (Hartburn), as mentioned in the referral (as above). Hartburn is an academy school with the PAN determined by its admission authority to be 90 for September 2025, representing an increase of 15 places as compared to that in the previous year. I

asked the Local Authority to provide me with background information about this increase. In response, the Local Authority stated:

“[Hartburn] contacted me prior to the end of the summer term of 2023/24 to inform me of their desire to increase the school’s PAN from 75 to 90 for entry into Reception 2025/26. I immediately raised my objections to the decision indicating potential impact on surrounding schools both maintained and academy but also as this proposed increase was after admission arrangements had been determined for 2025/26 ... Their reasons included always being oversubscribed due to parental preference usually receiving more 1st preference applications than their PAN of 75. This usually led to admission appeals which they preferred to avoid, not only due to time involved but costs involved. They also were prepared to admit above the PAN of 75 for in-year transfers if applications were received...”

19. The Department for Education’s document, “Basic need allocations 2026-27 and 2027-28: 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 would, according to the forecast numbers for 2026 and 2027, remain well above the two per cent if I agreed the proposed variation.
20. I am satisfied that if the PAN of the School were to be reduced to 30 for 2026, there would be sufficient places within the planning area for any children who might be seeking a Year R place.
21. I turn now to the demand for places at the School. Table 2 shows the number of children admitted to the School in 2024 and 2025, and the forecast numbers for the next two years. The table uses the proposed PAN of 30 for 2026 onwards.

Table 2: The number of children admitted to the School in 2024 and 2025, and the forecast number of places required in 2026 and 2027

-	2024	2025	2026	2027
The PAN for the School	60	60	30	30
Number of first preferences	38	30	NA	NA
Number of children admitted to Year R (2024 and 2025), and forecast to require places (2026, 2027)	45	33	30	30
Vacant places	15	27	0	0

22. Table 2 shows that in recent years, the number of first preference applications has been slightly above or just at the proposed PAN of 30. Table 2 also shows that the number of children admitted to the School has been above the number of first preference applications. A first preference is the school that a parent most wants their child to attend; a child will be offered a place at the highest preference school possible depending on the demand for schools and their oversubscription criteria. It is likely that some children have been admitted to the School because they were refused admission to a school for which their parents had expressed a higher preference.
23. The Local Authority has taken a cautious approach in commenting on the School's variation proposal, as it stated:

"Should this reduction in PAN from 60 to 30 be approved...this will decrease surplus places by 50% across the current planning area based on 2025/26 Reception numbers. This would further be complicated if any in-year transfers are received. The location of Holy Trinity Rosehill CE Primary School would be one of three primary schools that could serve demand for places from a large strategic site along Yarm Back Lane. The others being Fairfield Primary (LA Maintained) is generally full (no surplus) and St Patrick's RC School (a BHCET academy) tends to be oversubscribed also. Thus, leaving families seeking Reception places in the future will struggle to be placed at their closest schools and be relying on surplus places further away at schools generally not deemed as first preferences from parents. We would seek the [adjudicator] to support either a PAN reduction to 45 instead of 30 or reassurances from the Admission Authority that they would admit above PAN if demand predicated it."

24. The Admission Authority has responded to this view given by the Local Authority as follows:

"Now that we are within the 2025/2026 academic year, we are aware that there are currently places inside the planning area which would be available to parents/carers - not all places were taken up in other local schools in September 2025. We are also aware that the planning area for Central Stockton ... is a small area and is bordered by other Stockton Planning areas with schools only a short distance away. For example, St Mary's Church of England Primary School is only 3.4 miles away from our school ... but is in a different planning area. This means that there could be additional places outside of our planning area but within Stockton Local Authority which are not geographically far away but which parents are choosing to take up resulting in our lower numbers."

25. I consider that, should the variation be approved, any potential frustration of parental preference would be mitigated by the following factors:
- The proposed PAN reduction of the School by 30 places is partially offset by the recent PAN increase of Hartburn by 15 places. Hartburn is one mile away from the School.
 - As shown in Table 1, the planning area is expected to have a Year R vacancy rate of more than ten per cent in each of the next two years. Many of these other schools (including Hartburn) are within two miles of distance from the School. Any parent who is not successful in securing a place for their child at the School will likely be able to secure a place at another local school in the planning area.
26. I will now consider the impact on the School of my approving, or not approving, the proposed variation.
27. 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.
28. 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.
29. 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 situation the School wishes to avoid is staffing classes of a size that are not financially viable. As it admitted 33 students to Year R in September 2025, the School currently operates two Year R classes (with 17 and 16 children in each of these classes respectively). The School adopts mixed teaching in other year groups (namely, three mixed Years 1/2 classes, two mixed Years 3/4 classes, and three Years 5/6 classes).
30. It is therefore not surprising to me that, in light of the current circumstances, the School does not favour the lesser PAN reduction suggested by the Local Authority (as above). The Admission Authority stated in its reply of 17 October 2025 to my request for information:

“With a lowered PAN of 30 we would consider admitting above PAN but this would of course be subject to infant class size legislation so would need consideration as to

whether additional numbers were sufficient to justify this (i.e. nearer the 15 mark which is unlikely based on our current applications). Otherwise a PAN of 45 means we are in a no more beneficial a position due to the numbers being so close to 30 and will have a detrimental impact on our ability to plan and consistently staff our classes in school.”

31. The FBIT website shows that for financial year ending March 2025, the School had an in-year deficit of about £106,700, and a revenue reserve of about £400. The School commented:

“We continue to move towards a deficit budget, it is forecasted that we will require £25,000 outturn to set next year’s budget. Our budget position is currently -£5000 outturn. A reduced PAN to 30 will reduce staffing costs and this will have a positive impact on our budget. If we continue with a PAN of 60, our budget will not allow sufficient staffing due to infant class size regulations.”

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

- If the proposed variation is approved, parents can consider preferences and make their applications for 2026 in the knowledge that the PAN of the School is 30. Any parent who is not successful in securing a place for their child at the School will likely be able to secure a place at another local school in the planning area (many within two miles of distance from the School), in light of the projected vacant Year R rate as set out in Table 1 above. There is compelling evidence that a reduction in the PAN to 30 would allow the School to plan accordingly, make the best use of its resources, and in the longer term, improve its financial position.
- If the proposed variation is not approved, the School would be obliged to offer a Year R place up to the existing PAN of 60 for any applicant in 2026/27. If just over 30 children were to be admitted to the School, as in the case of September 2025, then the School could have to arrange its classes to meet the requirements of the infant class size regulations, and this would require a substantial cost to employ a teacher. There remains a serious risk of a significantly negative financial and organisational impact on the School, with detriment to those children already at the School and to others who may lose out, if funding has to be diverted to pay for the provision of an extra class for 2026/27.

33. Taking everything into consideration, I find that the variation is justified by the circumstances and approve it.

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 the governing body of Holy Trinity Rosehill Church of England Voluntary Aided Primary School, for September 2026.
35. I determine that the published admission number, for admissions to the Reception Year in 2026, shall be 30.

Dated: 29 October 2025

Signed:

Schools Adjudicator: Jackie Liu