



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2661

Admission Authority: Brighton and Hove City Council for Woodingdean Primary School

Date of decision: 5 January 2026

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 Brighton and Hove City Council for Woodingdean Primary School, for 2026/27.

I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 30.

The referral

1. Brighton and Hove City Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for Woodingdean Primary School (the School) for the school year 2026/27.
2. The School is a community school for children aged four to eleven at Woodingdean, an eastern suburb of Brighton. It is a co-educational school with no designated religious character. The School was judged to be 'Good' by Ofsted at its last inspection in March 2023.
3. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to Reception (Year R), be reduced from 60, as determined, to 30 for 2026/27.

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 27 February 2025.
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. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
7. The School has confirmed that it will join Eko Trust, a multi-academy trust, on 1 February 2026. I proceeded with this case on the basis that I would complete my determination before that date. Consequently, my jurisdiction is unaffected by the School’s forthcoming change of status from a community school to an Academy.
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 Local Authority dated 24 November 2025, and supporting documents;
 - the determined Arrangements and the proposed variation to those Arrangements;
 - responses from the Local Authority and the governing body of the School to my requests for further information;
 - maps, including Google Maps and those showing the location of the School;
 - [VAR2454](#), in which the then Schools Adjudicator approved in October 2024 a variation to the admission arrangements determined by the Local Authority for Rudyard Kipling Primary School and Nursery (Rudyard Kipling Primary) for September 2025. Rudyard Kipling Primary is a community school within the same planning area in which Woodingdean Primary School is based; and

- information available on gov.uk websites (including the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT) websites); and that on the websites of 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 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.
 12. 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

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 Local Authority has proposed that the PAN of the School be reduced from 60 to 30 in 2026/27. The governing body of the School supports the proposed variation.
15. Having regard to the declining birth rates and Year R admissions in recent years, the Local Authority told me the following reason for it seeking a variation to the PAN for the School:

"The number of pupils who have started Woodingdean Primary School in September 2025 were lower than the forecast number of pupils in the Woodingdean area would have suggested. Given these low numbers, the governing body are now concerned that allocation numbers for 2026 will also be much lower than indicated by the council's pupil forecasts, particularly as the other school in the local area [i.e. Rudyard Kipling Primary] have increased their PAN for 2026."
16. In [VAR2454](#), the then Schools Adjudicator determined that the PAN for admissions to Year R at Rudyard Kipling Primary should be reduced from 60 to 30 for 2025/26. I asked the Local Authority to provide further information about the context in which it

increased the PAN for Rudyard Kipling Primary from 30 to 45 for September 2026. The Local Authority stated:

“Rudyard Kipling Primary School reduced their PAN from 60 to 30 pupils through a variation for September 2025 (VAR2454). This was in part due to sustained falling pupil numbers across the city and the budget plan developed to bring Rudyard Kipling Primary School out of deficit required the school to reduce from 2fe to 1fe. The PAN was then increased to 45 for September 2026. The Governing Board [of that school] were supportive of the increase and believed that a PAN of 45 would be most aligned to the number of children wishing to join their school. In their view this will enable the school to continue to enable an equality of opportunity for children from a variety of socio-economic backgrounds.”

17. 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.
18. 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 Deans Planning Area’ (the planning area), and I have considered the data that the Local Authority has provided for that area.
19. In the planning area there are five schools, including the School and Rudyard Kipling Primary, for which the usual year of entry is Year R. As mentioned above, Rudyard Kipling Primary has increased its PAN from 30 to 45 for September 2026. 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 within the planning area. 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)	270	210	225	225
Number of children admitted (2024 and 2025), and forecast to require Year R places (2026 and 2027)	221	183	165	130
Vacant places	49	27	60	95
Vacant places as a percentage	18.1	12.9	26.7	42.2
Forecast number of places in Year R if variation approved (with a PAN of 30 at the School in 2026 and onwards)	NA	NA	195	195
Forecast vacant places if variation approved	NA	NA	30	65
Forecast vacant places as a percentage if variation approved	NA	NA	15.4	33.3

20. 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, be well above the suggested two per cent if I agreed to the proposed variation.
21. I am satisfied that if the PAN of the School were to be reduced to 30 for 2026, there would be sufficient places for children living in the planning area and seeking a Year R place.
22. 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	44	26	NA	NA
Number of children admitted to Year R (2024 and 2025), and forecast to require places (2026, 2027)	51	35	NA	NA
Vacant places	9	25	NA	NA

23. Although the Local Authority is unable to provide a forecast of demand for Year R places at individual primary schools in the planning area, Table 2 shows that in recent years the number of first preference applications for the School has been slightly above or below the proposed PAN of 30. First preference applications are only one indicator of demand; applications are made months in advance of admission and people's lives can change considerably in that time. I note that the number of children admitted to Year R at the School in September 2025 was down to 35.
24. Should the variation be approved, parents could still consider preferences and make their applications for 2026/27 in the knowledge that the PAN of the School is reduced to 30, as the application deadline for the normal round falls on 15 January 2026. The proposed reduction of the PAN for the School by 30 places will be offset partly by the increase in the PAN for Rudyard Kipling Primary by 15 places. 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 Rudyard Kipling Primary, which is one mile away from the School, or another local school in the area.
25. I am satisfied that there is unlikely to be any substantial frustration of parental preference if the proposed variation is agreed for September 2026.
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 Sizes) (England) Regulations 2012 (the Infant Class Sizes 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 Sizes Regulations apply to Year R, Year 1, and Year 2.

28. The School told me that it is currently running two classes to accommodate the 35 pupils at Year R in 2025/26. 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 FBIT website shows that for financial year ending March 2025, the School had an in-year balance of about £63,000, and a revenue reserve of about £64,000. The School is concerned that it will likely run into a deficit if it continues to run, in 2026/27, two Year R classes which may be many less than 30 pupils each. The governing body of the School stated:
- “Rudyard set their PAN to 30 this year and will be increasing to 45 in September 2026. This is likely to impact the numbers coming to our school. If the variation is not agreed, this will put additional financial strain on the school and seriously limit resources across the school. It is a request that the Governing board have made reluctantly but we have always taken our strategic planning duties seriously.”
30. Having considered all the matters above, my reasoning can be summarised as follows:
- If the proposed variation is approved, the reduction in PAN will be unlikely to result in a substantial frustration of parental preference given the number of first preferences for the School in recent years and the ample supply of Year R places in the local area. At this point in time, parents may still 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 the nearest primary school, Rudyard Kipling Primary (which will increase its PAN by 15 places for September 2026 entry), or any other school in the planning area. 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, benefit the School financially.
 - 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, then the School could have to arrange its classes to meet the requirements of the Infant Class Sizes Regulations, and this would require a substantial cost to employ an additional teacher unless some mixed-class teaching is adopted.
31. Taking everything into consideration, I find that the variation is justified by the circumstances and approve it.

Determination

32. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Brighton and Hove City Council for Woodingdean Primary School, for 2026/27.
33. I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 30.

Dated: 5 January 2026

Signed:

Schools Adjudicator: Jackie Liu