



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2641

Admission Authority: The Governing Body for Colmers School and Sixth Form College

Local Authority: Birmingham City Council

Date of decision: 11 February 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 the Governing Body for Colmers School and Sixth Form College, for 2026/27.

I determine that for admission in 2026/27 the Published Admission Number will be 210.

The referral

1. The Governing Body (the Admission Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Colmers School and Sixth Form College (the School or CS) for 2026/27 (the Arrangements).
2. The School is a foundation school for children aged eleven to nineteen. It is a co-educational, non-selective school with no designated religious character. The School is located in Birmingham City Council Local Authority (LA).
3. Parties to the request are the Admission Authority and the LA.
4. The proposed variation is to reduce the published admission number (PAN) from 240 to 210 for admission into Year 7 (Y7) in 2026/27.

Jurisdiction and procedure

5. 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”.

6. The Arrangements were determined by the Admission Authority on 1 December 2025. This is after the deadline for determining arrangements which was 28 February 2025. This does not affect the standing of the Arrangements or my power to consider them or the proposed variation.

7. The Admission Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code. The LA has provided me with confirmation that it has been consulted by the Governing Body of the School about the proposed variation.

8. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

9. In considering the variation request, I have had regard to all relevant legislation and the Code.

10. The information I have considered in reaching my decision includes:

- the referral from the Admission Authority dated 29 September 2025 and supporting documents;
- the determined Arrangements for 2026/27 and the proposed variation to those Arrangements;
- responses from the LA and the School to my requests for further information;
- maps, including Google Maps and those showing the location of the School; and
- information available on websites including the ‘Get Information About Schools’ (GIAS) and ‘Financial Benchmarking and Insights Tool’ (FBIT) websites, and websites of the LA and the School.

11. I note that following changes in leadership at the School, there has been some uncertainty about the requirements of the Code and the responsibility for determining the

School's Admission Arrangements. I was not with provided evidence that the Admission Arrangements had been determined for 2026/27 until 14 January 2026.

12. 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.

13. I note here that the Arrangements for 2027/28 have not yet been determined and published on the School website. This means that if I decide to vary the Arrangements for 2026/27 by reducing the PAN from 240 to 210 as proposed, it will have the effect of forming the 'baseline' for 2027/28 and subsequent years.

14. The Admission Authority appears to have misunderstood the way that a change in the PAN for 2027/28, by way of the proposed variation being agreed, would work in future years. As I explained above, reducing the PAN for 2026/27 at this point in time before the 2027/28 arrangements have been determined would have the effect of forming the 'baseline' for those arrangements. Should I determine to reduce the PAN now, there will be no need to consult on a reduction to the PAN in 2027/28 as this would be carried forward from the revised 2026/27 arrangements.

15. In the interests 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

16. 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.

17. The Admission Authority has proposed that the PAN for Y7 entry to the School in September 2026 be reduced from 240 pupils to 210. It is proposed that this would then set a baseline for future admission arrangements maintaining a PAN of 210 and enabling the School to make robust planning assumptions in terms of curriculum structure and resource planning, including staffing.

18. The Admission Authority told me that the reasons for it seeking a variation for the School are;

- sustained under-demand. The PAN of 240 has been achieved once in the last five years. All year groups in the School are currently below the PAN when students were admitted to that year group;

- demand for places at the School is consistently below the set PAN;
- reputation and Ofsted status. As the only local school currently judged to “require improvement”, Colmers faces “greater challenges in attracting families”;
- high pupil mobility: In-year movement is significant, destabilising staffing and curriculum planning; and
- financial and staffing pressures: For four consecutive years, budget reductions have necessarily been implemented. Recruitment to key posts is difficult, especially in core subjects, and maintaining a curriculum model for 240 pupils in a year group is financially “unachievable”.

19. The LA have confirmed that they have been in discussion with the School about a PAN reduction over the previous academic year. The LA is supportive of the proposed reduction in PAN. It notes that:

“First preference applications have declined over recent years, and the school is currently facing several challenges. Reducing the PAN will help them to address immediate issues around staffing levels as they progress their improvement journey.”

20. The School has sought to work closely with the LA to confirm support for a formal request to reduce the PAN.

21. The LA has a duty to ensure that there are sufficient places for the children in its area. To fulfil this duty the LA assesses the likely future number of places to be needed and plans to meet that need. The LA uses planning areas, which are geographical areas and the schools within those areas, for this purpose.

22. There are six schools in the planning area with a combined capacity of 960 pupils in Y7. The capacity would be reduced to 930 if the variation request is approved. Table 1 illustrates the PAN and number of admissions to Y7 for 2022, 2023 and 2024.

Table 1: PAN and number of admissions to Y7 for schools in the relevant planning area.

School	PAN	2024	2023	2022
Ark Kings Academy	120	84	112	120
Colmers School and Sixth Form College	240	216	244	247
King Edward VI Ballam Wood Academy	90	91	90	90
King Edward VI Northfield School for Girls	150	151	153	145
St Thomas Aquinas Catholic School	210	218	215	214

Turves Green Boys School	150	113	126	107
Total	960	873	940	923

23. I note that in 2023, there were more admissions in the planning area than the proposed new capacity of 930 places. Should this number be repeated, there is a possibility that parental preference may be impacted adversely. The LA provided information on the number of children admitted in September 2025 in the planning area and forecast surplus if the variation is approved. This is illustrated in Table 2.

Table 2: Forecast numbers admitted in 2025 and 2026 and percentage surplus capacity if PAN remains unchanged or the proposed variation approved.

Y7 intake for planning area	Forecast number on roll	Current capacity	Percentage of Surplus Places	PAN or Proposed PAN	Percentage of Surplus Places
2025/26	866	960	9.8%	960	9.8%
2026/27	880	960	8.3%	930	5.4%

24. Data provided in Table 1 and Table 2 illustrate that within the planning area there is likely to be adequate surplus places available to enable the LA to meet its statutory duty to ensure there are sufficient school places. The data also suggest that, although possible, it is unlikely that parental preference will be frustrated because the overall number of places in the planning area drops below the number of applicants, as in 2023.

25. The School has received 122 first preference applications for admissions in September 2026, all of which are likely to be met. If the PAN is reduced, then there would still be 88 places available for lower preference applications. In 2024, 2023 and 2022 there were 50, 69 and 0 lower preferences admitted, respectively. Therefore, it is unlikely that there would be insufficient places at the School to accommodate the demand.

26. Parents have a right to express a preference as to where their children go to school. I am satisfied that LA's forecasts illustrate there are sufficient places in the planning area to meet the demand.

27. In 2024/25 the School had an in-year balance of £91,458 and a revenue reserve position of £491,994. The School has provided information that suggests that falling rolls whilst maintaining a curriculum model for a PAN of 240 pupils has the potential to create an in-year deficit in 2026/27 which will absorb current reserves quickly. The School also highlights important benchmarks illustrated on FBIT which include necessary spends of more than 80% more than similar schools on premises staff and services caused by an aging estate and failing infrastructure. These are said to provide examples of specific

projects undertaken in recent academic years that have had a significant impact on the School's finances.

28. The School has a population where 64% of pupils are eligible for pupil premium, which is significantly higher than the National average of 26%. The School has 23.7% of pupils with an Education, Health and Care Plan (EHCP) or receiving support for Special Educational Needs or Disabilities (SEND), which is significantly above the National average of 16.5%. The School highlighted a "significant proportion" of pupils with below-average prior attainment, particularly in literacy and numeracy, limiting their ability to access the curriculum.

29. The School's established approach to curriculum delivery, particularly for the vulnerable students identified above, is through "carefully structured teaching, targeted intervention and, where appropriate, smaller group settings".

30. The School has identified that the reduction in PAN will support the quality of education for its pupils, particularly the more vulnerable, by providing the financial stability to be able to:

- move to a model of fewer, smaller classes in core subjects.
- have greater flexibility to offer small group settings for most vulnerable pupils.
- increase capacity for targeted literacy and numeracy interventions.
- support greater consistency in specialist subject teaching. This is needed because the School currently faces recruitment challenges in some areas, so staffing is limited.

31. Prior to seeking a PAN reduction, the School has worked with the LA to increase pupil recruitment through school improvement, leadership renewal, and community re-engagement. However, the School is of the view that demographic trends and parental preferences mean it is unlikely that the School will recruit close to the PAN in the near future.

32. I am satisfied that the School has provided a compelling case to illustrate how the reduction in PAN can support its financial sustainability and quality of education for pupils. I have considered the impact of decreasing admission numbers on school finances balanced against the impact that reducing the School's PAN will have on meeting parental preference.

33. I agree that the proposal to reduce the PAN from 240 to 210 in September 2026 will support the financial sustainability of the School and will not have a significant adverse impact on parental preference for secondary school places in the planning area.

34. I note here that reducing the PAN does not reduce the overall capacity of the School unless accommodation is being removed from the premises. It is not being suggested that accommodation is being removed and so the physical capacity of the School remains the

same. Reducing the PAN will not change that. What this means is that should there be a need for the School to increase its PAN and / or admit more children in 2026/27 than it currently expects to, there remains the capacity in the building for it to do so.

Determination

35. 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 for Colmers School and Sixth Form College, for 2026/27.

36. I determine that for admission in 2026/27 the Published Admission Number will be 210.

Dated: 11 February 2026

Signed:

Schools Adjudicator: Mr Philip Lloyd