



Office of
the Schools
Adjudicator

Determination

Case reference:	VAR2680
Admission Authority:	The Governing Body for Milford School, Milford, Godalming
Local Authority:	Surrey County 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 Milford School for 2025/26.

I determine that for admission to the Reception Year in 2025/26, the published admission number shall be 30.

The referral

1. The Governing Body (the Admission Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for Milford School (the School) for 2025/26.
2. The School is a foundation school for children aged four to seven years in Milford, Godalming. It is a co-educational, non-selective school with no religious designation. The School is part of the Godalming Learning Partnership along with Godalming Junior School. The School is located in the area of Surrey County Council (the Local Authority).
3. Parties to the request are the Local Authority and the Governing Body of the School.
4. The proposed variation is that the published admission number (PAN) be reduced from 60 to 30 for admissions to Reception Year (YR) in the academic year that began in September 2025.

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 14 March 2024. This is after the deadline for determining arrangements which was 28 February 2024. This does not affect the standing of the Arrangements or my power to consider the proposed variation.

7. The Admission Authority has confirmed that the appropriate bodies have been notified of the proposed variation in line with the Code.

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 6 January 2026 and supporting documents;
- the determined Arrangements for 2025/26 and the proposed variation to those arrangements;
- responses from the LA and the School to my requests for further information;
- a map showing the location of the School and other schools in the planning area; and

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

11. I would like to extend my thanks to the Local Authority and the School for their responses to my requests for further information.

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 2026/27 have been determined. This means that if I agree to the Admission Authority's request to vary the Arrangements for 2025/26 as proposed, it will be for that year only and will not have a bearing on subsequent years.

14. In the interests of dealing speedily with this request for a variation, 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

15. The Governing Body, as the Admissions Authority, has proposed that the PAN of the School is reduced from 60 to 30 for entry to YR during 2025/26.

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 told me that the reason for it seeking a variation for the School is that the number of pupils admitted to the School in September 2025 was lower than expected. During the summer term 2025, 34 children were offered a YR place at the School for September 2025. As the School is affected by the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 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 schoolteacher except in specific exceptional circumstances, the School had planned for, and employed staff to run, two YR classes.

18. However, only 30 children were admitted to YR in September 2025. As staff had already been employed, the School is currently running two YR classes with 15 pupils in each. The School intends to continue with the current arrangement of two YR classes for the remainder of the 2025/26 academic year. However, the School's intention is to combine these two classes into one class when the children begin Year 1 in September 2026.

19. Schools are largely funded based on the number of pupils on their rolls, and the highest cost to a school budget is its staff. Most infant and primary schools aim to have around 30 pupils to a class. If a school has class sizes that are much lower than 30, this can mean that the income from the number of pupils is less than the costs of providing a class. When this happens over several classes, a school can face financial challenges.

20. The FBIT website shows that the School's financial situation has declined over the last two years. At the end of the financial year 2024-2025, the School had an in-year balance of -£11 thousand.

21. If the PAN remains at 60, the School would be required to admit any child during the remainder of the 2025/26 academic year whose parents request a Reception place at the School until 60 children have been admitted. Given the Infant Class Size Regulations, the School would be unable to create a single Year 1 class in September 2026 should even one additional child be admitted as there would be more than 30 children in the year group. By reducing the PAN to 30, pupil numbers in YR will not increase and the School will be able to plan with certainty knowing that there will be one Year 1 class required during 2026/27.

22. The Local Authority supports the School's request for a reduction in PAN for 2025/26. It stated:

"The Local Authority supports Milford School's request to reduce its Published Admissions Number from 60 to 30 for the 2025/26 academic year. The school currently has 30 pupils on roll against a PAN of 60, and therefore operating with a single class is appropriate once the school is ready to do so.

... Witley CofE Controlled Infant School [the other school in the planning area] has sufficient Reception vacancies to accommodate any additional children requiring a place within the Milford and Witley planning area. As such, we do not anticipate any adverse impact on the Local Authority's duty to ensure a sufficiency of school places should the variation be agreed."

23. The Local Authority has a duty to ensure that there are sufficient places for the children in its area. To fulfil this duty the Local Authority assesses the likely number of places to be needed and plans to meet that need. The Local Authority uses planning areas, which are geographical areas each containing a number of schools, for this purpose. The School is based in the Milford and Witley planning area of the Local Authority. There are two schools in this planning area, including the School, which admit children into YR.

Table 1: School places in the planning area and allocation to YR in 2025/26

School Name	PAN	Number on roll	Vacancies
Milford School	60	30	30
Witley CofE Controlled Infant School	30	17	13
Planning area total	90	47	43

24. Table 1 shows that there is currently a high number of vacant places in YR in the planning area. At this point in the school year, the great majority of children who will require a place in YR during this academic year have already been allocated a place. I am satisfied that if the PAN of the School were to be reduced to 30 for 2025/26, there would be sufficient places available in the planning area for any parents seeking a Year R place for their child.

25. In relation to the proposed reduction in PAN, the School stated that “having to run two YR classes for a total of 30 pupils has pushed us into a deficit budget”. Financial information provided by the School forecasts a budget deficit of -£62 thousand for the financial year 2025-26. The School predicts that its budget situation will be made worse if it is unable to reduce the number of classes in the School. It said: “The proposed variation will create a significant financial saving as it will allow Milford to reconfigure our current staffing structure”.

26. Taking everything into consideration, I am of the view that the variation is justified by the circumstances, and I approve the proposed variation to reduce the PAN for 2026/27 to 30.

Determination

27. 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 Milford School for 2025/26.

28. I determine that for admission to the Reception Year in 2025/26, the published admission number shall be 30.

Dated: 11 February 2026

Signed:

Schools Adjudicator: Catherine Crooks