



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR2687

**Admission Authority:** Blackburn with Darwen Borough Council for Holy Trinity Voluntary Controlled School

**Date of decision:** 24 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 Blackburn with Darwen Borough Council for Holy Trinity Voluntary Controlled School for 2026/27.

I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 15.

### The referral

1. Blackburn with Darwen Borough Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for Holy Trinity Voluntary Controlled School (the School) for the school year 2026/27.
2. The School is a voluntary controlled school for children aged four to eleven years in Darwen, Lancashire. It is a co-educational school with a Church of England religious character, and the religious authority for the School is the Diocese of Blackburn (the Diocese).
3. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to Year R, be reduced from 60, as determined, to 15 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 28 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. 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 Local Authority dated 3 February 2026, and supporting documents;
  - the determined Arrangements and the proposed variation to those Arrangements;
  - responses from the Local Authority, the governing body of the School, 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 that on the websites of the Local Authority and the School.

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. If I agree the proposed variation to the Arrangements for 2026/27 to reduce the School's PAN from 60 to 15, and if this decision precedes the determination of the Arrangements for 2027/28, it will have the effect of forming the 'baseline' for subsequent years. I note that the Local Authority is consulting on setting the PAN at 15 for 2027/28, and has expressed the intention of determining the Admission Arrangements for 2027/28 on this basis.
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 Local Authority has proposed that the PAN of the School be reduced, quite substantially, from 60 to 15 in 2026/27. The Diocese and the governing body of the School support the proposed variation.
14. Having regard to the declining admissions in recent years, the Local Authority told me the following reason for it seeking a variation to the PAN for the School:  
  
"Locally, the birth date is falling, which has a significant impact on the number of pupils coming into reception. There is spare capacity across the borough and schools are therefore looking to reduce numbers to ensure financial stability. This particular school has seen significant reduction in requests for admission such that the current class arrangements are not financially viable."
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 15 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 'Darwen Planning Area' (the planning area), and I have considered the data that the Local Authority has provided for that area.
17. In the planning area there are 14 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 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
<b>Number of places in Year R at the schools in the planning area (with a PAN of 60 at the School)</b>	464	464	464	464
<b>Number of children admitted (2024 and 2025), and forecast to require Year R places (2026 and 2027)</b>	350	356	274	268
<b>Vacant places</b>	114	108	190	196
<b>Vacant places as a percentage</b>	24.6	23.3	40.9	42.2
<b>Forecast number of places in Year R if variation approved (with a PAN of 15 at the School in 2026 and 2027)</b>	NA	NA	419	419
<b>Forecast vacant places if variation approved</b>	NA	NA	145	151
<b>Forecast vacant places as a percentage if variation approved</b>	NA	NA	34.6	36.0

18. 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.

19. I am satisfied that if the PAN of the School were to be reduced to 15 for 2026, there would be sufficient places for children living in the planning area and seeking a Year R place.
20. 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 preferences data in recent years. The Table uses the proposed PAN of 15 for 2026.

**Table 2: The number of children admitted to the School in 2024 and 2025, and the preferences data in recent years**

	2024	2025	2026	2027
<b>The PAN for the School</b>	60	60	15	15
<b>Number of first preferences</b>	13	11	4	NA
<b>Number of children admitted to Year R (2024 and 2025), and forecast to require places (2026 and 2027)</b>	11	9	NA	NA
<b>Vacant places</b>	49	51	NA	NA

21. Although the Local Authority is unable to provide a forecast of demand for Year R places for individual primary schools in the planning area, Table 2 shows that in recent years the numbers of first preference applications for the School have been well below the PAN of 60. 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 the School in September 2025 was down to nine.
22. At this point in time, parents could not have considered preferences and made their applications for 2026/27 in the knowledge that the PAN of the School is reduced to 15, as the application deadline for the normal admission round fell on 15 January 2026. This notwithstanding, given that the number of first preference applications are substantially below the proposed reduced PAN of 15, I am satisfied that there is unlikely to be any substantial frustration of parental preference if the variation is agreed for September 2026.
23. I will now consider the impact on the School of my approving, or not approving, the proposed variation.
24. 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.

25. The School told me that it is currently running a mixed-age class to accommodate all nine pupils in Year R and one pupil in Year 1. It has four mixed-age classes for the other year groups to optimise the size of each class.
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 classes that have 30 pupils or close to, but below, 30 pupils. If a school has infant classes that have many fewer than 30 pupils, 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.
27. The School indicated that, should the variation be approved, the School would change from operating five classes currently to four mixed-age classes in September 2026.
28. The FBIT website shows that for financial year ending March 2025, the School had an in-year balance of about £37,000, and a revenue reserve of about £22,000.

29. The governing body of the School stated:

“Based on maintaining the existing PAN the school is forecasting a deficit of over £80k by 2027/28. Due to a falling birth rate and forecasted low numbers for the next 5-7 years the school will see a year on year reduction in funding. If the PAN is reduced the school would be able to review its staffing establishment which would be considerate of mixed age range classes. If the PAN is not reduced the school will not be able to provide a recovery plan for the deficit.”

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

- If the proposed variation is approved, parents were not able to consider preferences and make their applications for 2026 in the knowledge that the PAN of the School would be reduced to 15. Nonetheless, the reduction in the School’s PAN will be unlikely to result in a substantial frustration of parental preference given the small numbers of first preference applications for the School under the normal admission round. There is compelling evidence that a reduction in the PAN to 15 would allow the School to plan with more certainty knowing the number of classes and staff members that will be required for 2026/27, and to make the best use of its resources, thereby benefitting the School financially in the longer term.
- If the proposed variation is not approved, there would be a significantly negative financial and organisational impact on the School, as it would be obliged to offer a Year R place up to the existing PAN of 60 for any applicant in 2026/27. Any surge

of in-year admissions to Year R, however unlikely, might result in the School having to re-arrange its classes to meet the requirements of the Infant Class Sizes Regulations, or to employ an additional teacher.

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 Blackburn with Darwen Borough Council for Holy Trinity Voluntary Controlled School for 2026/27.
33. I determine that the published admission number, for admissions to the Reception Year in 2026/27, shall be 15.

Dated: 24 February 2026

Signed:

Schools Adjudicator: Jackie Liu