



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2667

Admission Authority: The Governing Body of Ashley Junior School

Local Authority: Hampshire County Council

Date of decision: 25 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 of Ashley Junior School for 2026/27.

I determine that the published admission number, for admissions to Year 3 in 2026/27, shall be 45.

The referral

1. The governing body of Ashley Junior School (the Admission Authority; the School) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for the School for 2026/27.
2. The School is a foundation school for children aged seven to eleven years at Ashley, a village which lies on the eastern outskirts of New Milton, Hampshire. It is a co-educational junior school with no designated religious character. The School is in the area of Hampshire County Council (the Local Authority).
3. The Admission Authority of the School has named Ashley Infant School, which is less than one mile away and within walking distance, as its feeder school, for the purposes of the Arrangements. The Local Authority, as the Admission Authority of Ashley Infant School, has determined that the PAN for that infant school be reduced to 45 for 2026/27.
4. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to Year 3, be reduced from 60, as determined, to 45 for 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 17 September 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 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. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
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 Admission Authority dated 27 November 2025, and supporting documents;
 - the determined Arrangements and the proposed variation to those Arrangements;
 - responses from the Local Authority and the Admission Authority 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.

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. If I agree the proposed variation to the Arrangements for 2026/27 to reduce the School's PAN from 60 to 45, 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 Admission Authority is consulting on setting the PAN at 47 for 2027/28, and has expressed the intention of determining so after the consultation process.
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 Admission Authority has proposed that the PAN of the School be reduced from 60 to 45 in 2026/27. The Local Authority supports the proposed variation.
15. Having regard to the declining birth rates in recent years, the Admission Authority told me the following reason for it seeking a variation to the PAN for the School:

"The Governors have been made aware that there is a falling roll of pupils coming from our feeder school, namely Ashley Infant School. We are aware the current numbers in year 2 at the Infant school are 45 pupils in mainstream, with a falling roll in subsequent years (year 1: 40 mainstream pupils, year R: 37 mainstream pupils). It is clear, therefore, that in order to sustain financial stability moving forward, Ashley Junior School needs to reduce the PAN from September 2026."
16. 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 45 in 2026/27. 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.

17. 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 'New Milton Primary Planning Area' (the planning area), and I have considered the data that the Local Authority has provided for that area.
18. In the planning area there are two schools, including the School and New Milton Junior School (about one mile from the School), for which the usual year of entry is Year 3. The data set out in Table 1 show the number of Year 3 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. Since both junior schools are consulting separately on reducing their respective PAN in 2027/28 (that is, to 47 places for Ashley Junior School; and to 66 places for New Milton Junior School), the table uses the sum of 113 places for admissions to Year 3 at the two schools reflecting what will likely be the combined PAN in the planning area for 2027/28.

Table 1: Year 3 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 3 at the schools in the planning area (with a PAN of 60 at the School in 2024, 2025, and 2026)	156	156	156	113
Number of children admitted (2024 and 2025), and forecast to require Year 3 places (2026 and 2027)	125	123	119	86
Vacant places	31	33	37	27
Vacant places as a percentage	19.9	21.2	23.7	23.9

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 there will still be a generous surplus of Year 3 places

for September 2026 (22 places, representing 15.6 per cent of the reduced combined PAN of 141 places), which is well above the suggested two per cent, if I agreed the proposed variation to reduce the School's PAN by 15 places.

20. I am satisfied that if the PAN of the School were to be reduced to 45 for 2026, there would be sufficient places for children living in the planning area and seeking a Year 3 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. Table 2 uses the proposed PAN of 45 for 2026.

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	45	47
Number of first preferences	55	49	35	NA
Number of children admitted to Year 3 (2024 and 2025), and forecast to require places (2026, 2027)	56	53	48	45
Vacant places	4	7	-3	2

22. Table 2 shows that in recent years the numbers of first preference applications for the School have dropped. 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 53.
23. The Local Authority has previously forecasted, under the School Capacity Survey, a demand for 48 places for the School in 2026/27. However, having regard to the latest preferences data, the Local Authority stated:

"At present, there are 35 first preferences that have been expressed for [Ashley Junior School]. At the same time, only 72 preferences have been expressed for the other junior school [New Milton Junior School] in the planning area, which has 96 places, therefore, the [Local Authority] is satisfied that there is sufficient capacity in the planning area to support the governing body's application."
24. According to the Local Authority, there are now 45 pupils at Year 2, 40 at Year 1, and 37 at Reception, on roll in the mainstream provision at Ashley Infant School. It is likely that the reduction of the School's PAN would not affect those pupils at Ashley Infant

School, should they apply for admissions to the School in 2026/27 or the next few years.

25. In addition, as mentioned in the Arrangements, the determined PAN of 60 in 2026/27 “includes 2 pupils with an Education, Health and Care plan admitted to the specialist SEN provision (Resourced Provision)”. The Arrangements state clearly that all children whose Education, Health and Care plan (EHCP) names the School must be admitted. In this connection, the supporting documents attached to the referral mention that Ashley Infant School now has 10 SEN pupils in the resourced provision unit of its Year 2, in addition to the 45 pupils in the mainstream provision of the same year group. I asked both the Local Authority and the Admission Authority how the proposed reduction of the School’s PAN might affect these SEN pupils who will leave the infant school in summer and progress to Year 3 in September 2026.

26. The Local Authority stated, in its reply of 11 February 2026 to my request for further information, that:

“The [Local Authority] can advise the [Adjudicator] that the infant school designation(s) and the junior school designation (that is the Special Educational Need they support) differ. This means it is unlikely that those children in the infant school’s Resourced Provision transfer to the junior school’s Resourced Provision. These places are named on a child’s EHCP as the nearest available provision to meet their need, so there is no guarantee that these children are from within the catchment area or even [the School’s] planning area. Therefore, the mainstream places can be considered in isolation.”

27. The Admission Authority gave a similar explanation in its response of 11 December 2025 to my request for further information:

“The Governing Body of Ashley Junior School notes that there are only currently 45 pupils in the mainstream Year 2 classes at Ashley Infant School; these mainstream pupils could be placed in the mainstream classes at Ashley Junior School in September 2026 if the PAN is reduced from 60 to 45. There would be no need for the Year 2 mainstream pupils to be displaced to any school other than Ashley Junior School if the PAN was reduced.

The additional 10 Year 2 pupils with additional SEND [special educational needs and disabilities] in the Resourced Provision classes at Ashley Infants School, would not automatically progress to the Resourced Provision Class at Ashley Junior School. This is for two reasons:

- Different Types of Resourced Provision: The Resourced Provision at Ashley Junior School is for pupils with MLD - Moderate Learning Difficulty; the Resourced Provision at Ashley Infant School is for pupils with SLCN (Speech, language and Communication) and ASD (Autistic Spectrum Disorder). There is not a direct

progression path between the Resourced Provision of Ashley Infant School and Ashley Junior School when transitioning between Years 2 and 3. The Local Authority will duly liaise with the [Special Educational Needs Co-ordinator] and Headteacher at Ashley Junior School to ensure that any new Resourced Provision Year 3 pupils in September 2026 meet the MLD criteria of the school's Resourced Provision.

- Different Agreed Place Numbers [APN] for the Ashley Infant and Ashley Junior Schools' Resourced Provisions: The Resourced Provision at Ashley Infant School has an APN of 32; the Resourced Provision at Ashley Junior School has an APN of 14. The Ashley Junior School Resourced Provision does not have the capacity to take the additional 10 Year 2 pupils, with additional SEND, from the Resourced Provision classes at Ashley Infants School; the Local Authority are fully aware of this."

28. 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 45, as the application deadline for the normal admission round fell on 15 January 2026. That said, in the light of the explanation given by both the Local Authority and Admission Authority above, as well as the number of pupils now at Ashley Infant School, I am satisfied that there is unlikely to be any substantial frustration of parental preference if the proposed variation is agreed for September 2026.
29. I will now consider the impact on the School of my approving, or not approving, the proposed variation.
30. The School told me that it is currently running two classes to accommodate 48 pupils at Year 3, with 24 pupils in each class. There are also two Year 4 classes, accommodating a total of 53 pupils.
31. 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 around 30 pupils. If a school has 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. Otherwise classes of junior aged children can be over 30 but few schools would wish to have many pupils over 30 for reasons of educational effectiveness.
32. The Admission Authority indicated that, should the variation be approved, the School would plan to have three mixed-age classes for Year 3 and Year 4 in 2026/27, ideally with about 30 pupils in each class. This will mean downsizing the School from having two classes each for Year 3 and Year 4 (i.e. four classes) in 2025/26 to three mixed-age classes for both year groups in 2026/27. Although there is no maximum class size

for children at a junior school, classes of many more than 30 pupils may result in challenges in relation to teaching effectiveness and the space available in classrooms.

33. The FBIT website shows that for financial year ending March 2025, the School had an in-year balance of about £57,000, and a revenue reserve of about £109,000.

34. The governing body of the School stated:

“If the variation is not agreed – The school will struggle to remain of a position of financial stability, due to the unknown number of new Year 3 pupils, which could vary from 45 to the original PAN of 60 throughout the academic year. If the variation is not agreed, staffing would need to be set up with this anomaly in mind; this high-stakes situation will have a negative impact within what would be a deficit budget moving forward.”

35. 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 45. Nonetheless, the reduction in the School’s PAN will be unlikely to result in a substantial frustration of parental preference given the number of first preference applications for the School under the normal admission round, and the current number of pupils on roll in Year 2 at Ashley Infant School. In any event, the Arrangements state clearly that all children whose EHCP names the School must be admitted. There is compelling evidence that a reduction in the PAN to 45 would allow the School to plan mixed-age teaching accordingly for September 2026, 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, the School would be obliged to offer a Year 3 place up to the existing PAN of 60 for any applicant in 2026/27. If over 45 children were to be admitted to the School, this would affect the School’s plan for operating three mixed-age classes for both Year 3 and Year 4 in 2026/27. This might consequentially require a substantial cost to employ an additional teacher and to reorganise these classes for optimal teaching outcomes and effectiveness.

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

Determination

37. 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 Ashley Junior School for 2026/27.

38. I determine that the published admission number, for admissions to Year 3 in 2026/27, shall be 45.

Dated: 25 February 2026

Signed:

Schools Adjudicator: Jackie Liu