



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2714
Admission Authority: Leeds City Council for Asquith Primary School
Date of decision: 13 April 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 Leeds City Council for Asquith Primary School for 2026/27.

I determine that for admission in 2026/27 the published admission number shall be 30.

The referral

1. Leeds City Council (the local authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Asquith Primary School (the School) for 2026/27 (the arrangements).
2. The School is a community school for children aged three to eleven. The admission authority for the School is the local authority. The local authority and the governing body for the School are the parties to this determination.
3. The proposed variation is that the published admission number (PAN) for the School for admissions in 2026/27 is reduced from 60 to 30.

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 12 February 2025. 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 and supports it.

6. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction. In considering the variation request, I have had regard to all relevant legislation and the Code.

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

- a) the referral from the local authority received 24 March 2026;
- b) the determined arrangements for 2026/27 and the proposed variation to those arrangements;
- c) responses from the local authority and the governing body to my requests for further information;
- d) a map showing the location of the School and other relevant schools; and
- e) information available on the websites
 - of the DfE
 - including ‘Get Information About Schools’ (GIAS);
 - ‘Financial Benchmarking and Insights Tool’ (FBIT); and
 - of the School and the local authority.

8. 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.

9. I note here that the arrangements for 2027/28 have been determined. This means that if I agree to the request to vary the arrangements for 2026/27 as proposed, it will be for

that year only and will not have a bearing on subsequent years. In addition, the local authority consulted on the admission arrangements for 2027/28 and, following that consultation, determined that the PAN would be 30 for that year.

Consideration of proposed variation

10. 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.

11. The School is in an urban location with six other state funded primary schools which admit children to reception year within one mile and a further four within two miles. The local authority explained that the number of children requiring a place in reception year has reduced, and is expected to continue to reduce. One result has been a reduction in the number of preferences for the School. In light of this, the School seeks to move from two classes to a year group to one class. This would be supported by setting the PAN at 30 for admissions to the 2026/27 academic year.

12. 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 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 in a planning area with seven schools that admit children to reception year. Table 1 below provides information on demand for the state funded schools in the planning area which admit children to reception year.

Table 1: data on admissions to schools in the planning area to reception year

	2023	2024	2025	2026
Sum of PANs	420	420	420	420
Number of first preferences	385	360	340	355
Number of children admitted (2023, 2024 and 2025) or forecast (2026)	383	368	347	376
Vacant places (actual or forecast as above)	37	52	73	44

13. A first preference is made for the school that a parent most wants their child to attend. The number of first preferences across a planning area gives an indication of demand for places at the time of application. The evidence provided by the local authority shows that if the PAN for the School were reduced by 30 places to 30 for admissions in 2026/27, there would be around 14 vacant places in the planning area. The percentage of vacant places in the planning area for 2026/27, if the PAN for the School were to be 30, would be 3.6 per cent which is above the minimum recommended by the DfE to provide

flexibility. I am therefore assured that if the PAN for the School were reduced to 30 for admissions in 2026/27 there would still be sufficient places in the planning area to meet demand.

14. I will now consider demand for the School and the reasons for requesting the variation. The School is one subject to the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Size Regulations). These 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. It is more economical to provide classes that have 30 or close to 30 pupils. If the class size is significantly smaller, then the costs of providing the class can be higher than the income derived from the pupils. In other words, if a class has around 23 pupils, for example, then the costs of providing the class are likely to be higher than the income derived from the pupils within it. This can lead to financial deficit over time if not addressed. Table 2 provides data on admissions to the School.

Table 2: data on admissions to the School

	2023	2024	2025	2026	2027
PAN	60	60	60	60	30
Number of first preferences	35	26	16	19	N/A
Number of children admitted (2023, 2024 and 2025) or forecast (2026)	41	36	21	23	N/A
Vacant places or shortfall: actual or forecast as above	19	24	39	37	N/A

15. The number of first preferences for the School has reduced overall since admissions in 2023. Table 2 shows that in each year, more children have been admitted than have had the School as a first preference. This means that the School has been the highest preference that could be achieved for some children in each year.

16. The local authority consulted with the governing body and the minutes of the governing body meeting on 24 April 2025 record the decision to support the proposed reduction of the PAN for 2027 and that a variation should be requested to reduce the PAN for 2026. I was conscious that the meeting was nearly a year ago and so asked the governing body for an update on its views. The governing body confirmed that it still wished to reduce the PAN as proposed. The local authority explained that the delay in requesting the variation was due to strategic considerations.

17. The governing body said that changes to catchment areas and planned housing developments not being completed had affected demand for the School. The governing body also provided me with its current class structure. This shows reducing pupil numbers. In the years 5 and 6, there are two classes for each year group of 29 or 30, so nearly 60

pupils in each year group. As the children get younger, the numbers in the year groups reduce and for reception year, and years 1, 2 and 3, the year groups are much smaller. Year 1, for example, has 21 pupils. The School did combine years 1 and 2 in its class organisation for the 2025/26 academic year and believes that 19 children were removed by their parents as a result. In 2025/26 so far, 57 children have left the School and 52 have joined. In previous years, more children have joined the School than have left.

18. The governing body provided potential class structures for September 2026 both on the basis of the PAN remaining at 60 and of being varied to 30. The local authority originally forecast 35 pupils would be admitted to reception year in 2026. This would have caused the School to either have uneconomical classes or combine year groups. If two classes were provided for reception year, the costs of an additional teacher would be a minimum of £51,000 and the income from five pupils (assuming 35 children with one class of 30 and one of five) would be around £20,000 and so contributing to a financial deficit. Clearly no school would arrange its classes like this but it illustrates the potential challenge to the School's budget.

19. The School anticipates an overspend on this year's budget of around £50,000. If over 30 children were to be admitted to reception year in 2026 and two classes provided, the governing body forecasts that its deficit would be approaching £300,000 by the end of the 2026 – 2027 financial year. This would be a strong argument for agreeing the variation so that no more than 30 children would be admitted.

20. As it happens, the local authority has now revised its forecast from 35 children being admitted to 23. There is therefore no risk of parental preference being frustrated if the PAN were reduced to 30. The combination of financial and educational reasons to reduce the PAN to 30, and the lack of effect on parental preference means that I support the variation.

Determination

21. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Leeds City Council for Asquith Primary School, for 2026/27.
22. I determine that for admission in 2026/27 the published admission number shall be 30.

Dated: 13 April 2026

Signed:

Schools Adjudicator: Deborah Pritchard