



Determination

Case references: VAR2697, VAR2698, and VAR2699

Admission Authority: Warwickshire County Council for Boughton Leigh Infant School

Date of decision: 30 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 Warwickshire County Council for Boughton Leigh Infant School for 2025/26.

I determine that the published admission number for admissions to the Reception Year in 2025/26 shall be 60.

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Warwickshire County Council for Boughton Leigh Infant School for 2026/27.

I determine that the published admission number for admissions to the Reception Year in 2026/27 shall be 60.

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Warwickshire County Council for Boughton Leigh Infant School for 2027/28.

I determine that the published admission number for admissions to the Reception Year in 2027/28 shall be 60.

The referral

1. Warwickshire County Council (the Admission Authority, the Local Authority) has referred to the adjudicator a proposal for variations to the admission arrangements for Boughton Leigh Infant School (the School) for the respective school years 2025/26

(the 2025 arrangements), 2026/27 (the 2026 arrangements), and 2027/28 (the 2027 arrangements).

2. The School is a community school for children aged three to seven years in the north of Rugby. It is a co-educational school with no designated religious character.
3. The proposed variations are that the published admission number (PAN) of the School, which applies to admissions to the reception year (Year R), be reduced from 90, as determined, to 60 for each of 2025/26, 2026/27, and 2027/28.

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 2025 arrangements were determined by the Local Authority on 15 February 2024. The 2026 arrangements were determined by the Local Authority on 13 February 2025. The 2027 arrangements were determined by the Local Authority on 12 February 2026.
6. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code, and that the governing body of the School has been consulted on the proposed variations. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.
7. In considering the variation requests, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decisions includes:

- the referral from the Local Authority dated 10 March 2026, and supporting documents;
 - the determined arrangements for the three school entry years in question and the proposed variations to those arrangements;
 - responses from the Local Authority and the governing body of the School to my requests for further information;
 - maps, including Google Maps and those showing the location of the School;
 - [VAR2098](#) and [VAR2145](#), which the then School Adjudicator approved, in January 2021 and July 2021 respectively, variations to the determined admission arrangements for the School for 2020/21 and 2021/22. Both variations reduced the PAN of the School as it applied to admissions to Year R from 90 (as previously determined) to 60 in the relevant years; 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. I note here that the admission arrangements for the School for 2028/29 have not yet been determined. This means that if I decide to vary the Arrangements for 2027/28 by reducing the School’s PAN from 90 to 60 as proposed, it will have the effect of forming the ‘baseline’ for subsequent years.
 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 variations

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.
13. The Local Authority has proposed that the PAN of the School be reduced from 90 to 60 in each of 2025/26, 2026/27, and 2027/28. The governing body of the School supports the proposed variations.

14. The referral mentioned declining birth rates and admissions to Year R in recent years in justifying the proposed variations. It highlighted that the previous forecast of potential growth in pupil numbers had not materialised (partly due to a plan to expand the age range of a Rugby secondary academy to include primary provision from September 2026). Also, the Year R intake for the School in both 2025/26 and 2026/27 are close to or below 60. I note here that, when such a trend became evident, this could have been considered by the Local Authority for consulting on any proposed change to the previous admission arrangements and determining those for 2027/28.
15. The Local Authority explained in the referral form:

“The change is not temporary but systemic. Over successive years, intake has remained significantly below PAN. There is no demographic evidence of rebound to historic highs of 10-12 years ago. Medium-term financial forecasting demonstrates cumulative deficit risk if PAN remains misaligned with demand. The material change in circumstance is therefore the confirmed and continuing over-capacity relative to parental demand.”
16. It was unusual for the Local Authority to have determined the 2027 arrangements in February 2026, and then shortly after that to seek a variation to the determined arrangements. This gives the impression of the Local Authority seeking to bypass the due consultation process, as required under paragraph 1.45 of the Code, when not consulting on the proposed reduction of the School’s PAN for 2027/28.
17. In response to my further request for information, the Local Authority has explained to me in detail the sequence of events concerning the prolonged absence of the School’s headteacher, the debt recovery conversation between the Local Authority and the School, as well as a recently confirmed change to the land use planning from “residential” to “employment” in respect of a development project in Rugby North planning area. These circumstances together had prevented the Local Authority and the governing body of the School from resolving to consult relevant parties and consider the proposed reduction of the School’s PAN for 2027/28 before the determination of the Arrangements in February 2026. I do not see the need to elaborate on such details here, but it suffices for me to say that, however unfortunate, this is still not desirable from a procedural point of view (see paragraph 9 above).
18. That said, having considered the explanation given by the Admission Authority and the governing body of the School, I am satisfied, on balance, that this request is within the remit of paragraph 3.6 of the Code (as above) which permits admission authorities to propose variations “where they consider such changes to be necessary in view of a major change in circumstances”.
19. I have therefore 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 90 to 60 in each of 2025/26, 2026/27, and 2027/28. 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 reductions on parental preference, and whether the proposed reductions are justified taking into account all relevant circumstances.

20. 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 'Rugby North (Primary) Planning area' (the planning area), and I have considered the data that the Local Authority has provided for that area.
21. In the planning area, there are five 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 or offered a place 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 or offered a place to, or forecast to require a place at, those schools.

	2025	2026	2027
Number of places in Year R at the schools in the planning area (with a PAN of 90 at the School)	240	240	240
Number of children on roll (2025), offered a place (2026), and forecast to require Year R places (2027)	209	208	205
Vacant places	31	32	35
Vacant places as a percentage	12.9	13.3	14.6
Number of places in Year R if variation approved (with a PAN of 60 at the School)	210	210	210
Forecast vacant places if variation approved	1	2	5
Forecast vacant places as a percentage if variation approved	0.5	1.0	2.4

22. At this point in the school year, the vast majority of children who will require a Year R place during the current year must have already been allocated a place. And after the national offer day (16 April 2026), those who have applied for a Year R place for

September 2026 would have already been offered a place. In addition, 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 remain above the suggested two per cent if I agreed to the proposed variation for 2027/28.

23. Although the buffer margin is tight, I am satisfied that if the PAN of the School were to be reduced to 60 for each of 2025/26, 2026/27 and 2027/28, there would be sufficient places for children living in the planning area and seeking a Year R place.
24. I turn now to the demand for places at the School. Table 2 shows the number of children on roll in Year R in 2025, and the preferences data in recent years. The Table uses the proposed PAN of 60.

Table 2: The number of children on roll in Year R at the School in 2025, offered a place in 2026, and the forecast number of places required in 2027.

	2025	2026	2027
The PAN for the School	60	60	60
Number of first preferences	46	53	NA
Number of children on roll in Year R (2025), offered a place (2026), and forecast to require places (2027)	60	59	NA
Vacant places	0	1	NA

25. I note that all first-preference applications were allocated a Year R place at the School for September 2026. The Local Authority is not able to give a definitive forecast of the number of first preferences for the School or the number of Year R places likely to be offered in 2027/28. In response to my request for further information, the Local Authority stated:

"Of the 59 places offered on National Offer Day 2026, only 44 were from children living in the priority area. NHS data showed 99 relevant children living in the Boughton Leigh Infant priority area and 52 living in the Shared Boughton Leigh Infant and Brownsover Community School priority area (there were also 35 children living in the Brownsover Community School priority area) ... We have since been advised by the school that one, maybe two of the children offered a place will be moving out of the UK and that three other children are waiting to hear about specialist provision. However, to date Admissions are still showing 59 offers.

Current NHS data shows 73 relevant children living in the Boughton Leigh Infant priority area and 60 living in the Shared Boughton Leigh Infant and Brownsover Community School priority area (with 44 children living in the Brownsover Community School priority area) due to start school in September 2027.”

26. In addition, two other primary schools (including Brownsover Community School) in the planning area are within one mile of distance from the School. Any parent who is not successful in securing a place for their child at the School will likely be able to secure a place at a nearby school in the area. This being the case, I am satisfied that there is unlikely to be any substantial frustration of parental preference if the proposed variations were to be agreed for both September 2026 and September 2027.
27. I will now consider the impact on the School of my approving, or not approving, the proposed variations.
28. 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.
29. The Local Authority told me that it is currently running three classes to accommodate all 60 pupils on roll in Year R. In addition, there are three classes each in Year 1 and Year 2. Should the variation to the 2025 arrangements be approved, the School would be able to redeploy immediately an existing teacher into the School’s new specialist resource provision (rather than redundancy).
30. In addition, the School plans to restructure from running nine classes now to seven classes in 2026/27 by introducing mixed-age teaching in Years 1 and 2 potentially, while keeping two Year R classes to accommodate the incoming cohort up to the reduced PAN of 60 in September 2026. This will enable to the School to migrate gradually to a six-class structure in September 2027, when the reduced PAN (if approved) continued to take effect consistently across school years.
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 30 pupils or close to, but below, that number. 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.
32. The FBIT website shows that for financial year ending March 2025, the School had an in-year deficit of about £38,000, and a revenue reserve of about £277,000.

33. The Local Authority and the School have shown me budgetary information to demonstrate that maintaining nine classes is financially unsustainable for the School, and that a gradual move to a seven-class structure in 2026/27, and then to six classes in 2027/28, will enable the School to reduce staff cost and improve its long-term financial viability.

34. The Local Authority stated:

“The school is now in a significant projected deficit position (overall balance in 2028/29 is £-297,468), directly linked to falling roll and the financial impact of operating with surplus capacity ... Since admission arrangements for 2027/28 academic year were determined, the school is now part of the Debt Recovery Group process. The first meeting between school and [the Local Authority] took place on 26th March. It is clear that due to demographic decline in the local area, there will not be a recovery to previous numbers across the planning area and a PAN of 90 would require staffing structures disproportionate to likely intake, therefore exacerbating the financial difficulties for the school.”

35. The School added:

“Without decreasing the PAN, the school will be required to staff 3 Reception classes despite cohorts being closer to 55-65 pupils. Pupil funding will remain insufficient to meet fixed staffing and operational costs. The deficit will continue to increase year on year. The school is required to enter into a deficit recovery plan caused by inefficient and unsustainable staffing model based on the current pan. Savings would need to be sought, if they can, in other areas such as support staff, interventions and curriculum enrichment creating a plan that is neither credible or educationally desirable. A PAN reduction would allow staffing levels to align with pupil numbers and minimise redundancy risk.”

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

- If the proposed variation to the 2025 arrangements is approved, the possibility of parental frustration in relation to in-year admissions is minimal. Those children in the local area seeking Year R places would have been admitted to the School, or any primary school for which their parents expressed a preference.
- If the proposed variation to the 2026 arrangements is approved, the reduction in the School's PAN will be unlikely to result in a substantial frustration of parental preference. The demand arising from all first-preference applications and some second-preference applications for the School is met under the normal admission round. The Local Authority is confident in ensuring that there are sufficient school places for the children in its area, despite a tight margin of surplus places for late or in-year admissions. There is compelling evidence that a reduction in the PAN to

60 would allow the School to plan with more certainty knowing the number of classes and staff members that will be required for 2026/27. This will enable the School to make the best use of its resources in the next school year.

- If the proposed variation to the 2027 arrangements is approved, parents and other relevant parties would not have been able to express their view on the reduction of the School's PAN. However, from the data given by the Local Authority, such a variation will be unlikely to give rise to any concern about the sufficiency of Year R places in the planning area. The reduction in the School's PAN will be unlikely to result in a substantial frustration of parental preference. There is compelling evidence that a reduction in the PAN to 60 will allow the School to plan on the basis of restructuring itself into six classes for 2027/28. This will benefit the School financially in the longer term.
- If the proposed variations are not approved, the School would be obliged to offer a Year R place up to the existing PAN of 90 for any applicant in 2025/26, 2026/27, and 2027/28. There is a risk that up to that number could be admitted, thus preventing the switch to the reduced class structure for the School from September 2026 onwards. If funding has to be diverted to pay for the provision of an extra class, there will be a significantly negative financial and organisational impact on the School, with detriment to those children already at the School and to other necessary areas of expenditure.

37. Taking everything into consideration, I find that the variations are justified by the circumstances and approve all three variations.

Determination

38. **In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Warwickshire County Council for Boughton Leigh Infant School for 2025/26.**
39. **I determine that the published admission number for admissions to the Reception Year in 2025/26 shall be 60.**
40. **In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Warwickshire County Council for Boughton Leigh Infant School for 2026/27.**
41. **I determine that the published admission number for admissions to the Reception Year in 2026/27 shall be 60.**
42. **In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements**

determined by Warwickshire County Council for Boughton Leigh Infant School for 2027/28.

- 43. I determine that the published admission number for admissions to the Reception Year in 2027/28 shall be 60.**

Dated: 30 April 2026

Signed:

Schools Adjudicator: Jackie Liu