



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2723

Admission Authority: Oxfordshire County Council for North Kidlington Primary School, Kidlington

Date of decision: 2 June 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 Oxfordshire County Council for North Kidlington Primary School for 2026/27.

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

The referral

1. Oxfordshire County Council (the Admission Authority, the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for North Kidlington Primary School (the School) for 2026/27.
2. The School is a community school for children aged four to eleven years in Kidlington. It is a co-educational, non-selective primary school with no designated religious character.
3. Parties to the request are the School and the Local Authority. As the Local Authority is the Admission Authority, both terms are used throughout this determination.
4. The proposed variation is that the published admission number (PAN) be reduced from 45 to 30 for admission to Reception Year (YR) in the academic year beginning in September 2026.

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 20 January 2025.

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.

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 11 May 2026 and supporting documents;
- the determined Arrangements for 2026/27 and the proposed variation to those Arrangements;
- a response from the School to my request for further information;
- an OSA determination for the School dated 14 July 2025 (VAR2595 – 2596);
- maps, including Google Maps and those showing the location of the School; 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.

I have not needed to seek any information from the Local Authority further to that already provided to me.

11. 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.

12. I note here that the Arrangements for 2027/28 were determined on 24 February 2026. This means that if I agree to the Admission Authority's request to vary the Arrangements for 2026/27 by reducing the PAN as proposed, it will be for that year only and will not have a bearing on subsequent years. I further note that the PAN determined for 2027/28 is 30.

13. In July 2025, I approved a request to reduce the School's PAN from 45 to 30 for the academic year that began in September 2025 (VAR2595). At the same time, I did not approve a request to vary the School's PAN in a similar manner for 2026/27 (VAR2596). This was because, based on the data available at the time, I was not convinced that there would be sufficient capacity in the area to meet the demand for YR places in 2026/27. This proposal for a variation to the School's admission arrangements for 2026/27 is based on current data and I will consider all the information afresh.

Consideration of proposed variation

14. The Admission Authority has proposed that the PAN of the School is reduced from 45 to 30 for entry to YR in September 2026. The proposed variation has the support of the School's Governing Body.

15. 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.

16. The Admission Authority told me that the reason for it seeking a variation for the School is:

"The school was expanded from PAN 40 to PAN 45 from September 2013 onwards in view of mixed-age teaching groups with maximum size 30 under ICS regulations [The School Admissions (Infant Class Sizes) (England) Regulations 2012]. ...

Since 2021 the school has received insufficient applications to fill all 45 places and numbers have fluctuated. This is causing class size management and financial issues.

Housing growth is low in the local area (Kidlington) where there are 4 primary schools and continued lower recruitment to Reception class 2026/27 has continued as predicted. Limiting intake to 30 will allow for better planning and management and provide the opportunity for the school to aim at financial stability.

The school management view is that a reversion to PAN 30 is more financially viable and can be better managed in the future with the option to exceed and revert to 1½ form-entry if there are sufficient applications in future years. ...

No problems are foreseen to arise for a smaller intake of 30 children into Reception class 2026/27. The school will organize the cohort as a single class with a maximum legal limit of 30 for Reception, Year 1 and Year 2.

Based on current data, the number of surplus places in Kidlington for Reception 2026/27 is reasonable (21 places, 14%). This exceeds requirements. It is envisaged there will be sufficient for the current and future population demands.”

17. The Governing Body made the following comments in support of the proposed variation:

“[The proposal] will allow the school to manage its intake in a way that is sustainable given current and projected pupil numbers. The school has experienced a decline in reception applications in recent years, consistent with demographic trends across the area. Admitting a smaller cohort will protect the quality of provision, avoid the creation of financially and educationally inefficient mixed age classes, and allow the school to plan staffing and resources responsibly.”

18. I have given careful consideration to the latest available data in order to form a view about the sufficiency of school places in the local area if the PAN of the School is reduced from 45 to 30 for 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 meeting parental preference, and whether the proposed reduction is justified taking into account all relevant circumstances.

19. 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, referred to locally as learning communities, for this purpose. Each planning area is a geographical area containing a number of schools, The School is based in the Kidlington planning area of the Local Authority. There are five primary schools in the planning area, including the School. All of these schools admit children into YR.

20. Table 1 summarises the data supplied to me by the Local Authority for the primary schools in the planning area that admit children into YR including the number of children admitted in each of the previous three years and the number of places offered for 2026.

Table 1: School places in the planning area and admission to YR

-	2023/24	2024/25	2025/26	2026/27
The total PAN	180	195	150	165
The number of children admitted to YR or forecast to be admitted	128	134	146	130*
The number of vacant places	52	61	4	35
The number of vacant places as a percentage of the total number of places	28.9	31.3	2.7	21.2

* Number of offers made on National Offer Day (16 April 2026)

21. Table 1 shows that while the number of children requiring a YR place in the planning area has fluctuated over the last few years, the Local Authority has taken action to reduce the high number of vacant places. If the proposed PAN reduction is agreed, the total PAN for 2026/27 would be 150. Based on the number of offers made on National Offer Day (16 April 2026), there would be 20 vacant YR places (13.3 per cent) across the planning area.

22. The DfE 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 ... to support parental choice, pupil population movement, and general manageability of the system”. The Local Authority’s document “Pupil Place Plan 2023/24-2027/28” identifies that the “minimum surplus capacity” should be five per cent. If I were to agree to the proposed variation for September 2026, the proportion of vacant places in the planning area would remain well above both the DfE’s and the Local Authority’s minimum requirements. .

23. Based on the information shown in Table 1, I am satisfied that if the PAN of the School were to be reduced to 30 for 2026/27, there would be sufficient places available in the planning area for any parents seeking a YR place for their child.

24. I will now consider the demand for places at the School. Table 2 summarises recent admissions to the School and includes the number of offers made on National Offer Day.

Table 2: The number of children admitted to YR at the School

-	2023/24	2024/25	2025/26	2026/27
The PAN for the School	45	45	30	45
The number of first preferences	31	38	28	30

-	2023/24	2024/25	2025/26	2026/27
The number of children admitted to YR (places offered 2026)	31	38	30	30
The number of vacant places	14	7	0	15
The number of vacant places as a percentage	31.1	15.6	0	33.3

25. Table 2 shows that all the children whose parents identified the School as their first preference have been offered a place there for September 2026. The proposed variation will, therefore, have no effect on parental preference in respect of applications received as part of the normal admissions process for September 2026.

26. If the PAN were to be reduced to 30, there would be no vacant places at the School. However, as set out earlier, there are YR places available within the planning area. Currently, three of the other four schools in the planning area have at least one vacant space for September 2026.

27. The School is subject to the provisions of the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Sizes Regulations). The Infant Class Sizes Regulations 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. An intake of just over 30 YR children would mean that the School would either have to organise the children into two small YR classes or regroup the children into mixed-age classes. Either model is likely to require additional staffing and would not be financially viable.

28. Even if the number of children admitted to the School on the first day of term in September 2025 is 30 or fewer and the School is able to operate a single class model in YR, if the proposed variation for 2026/27 is not agreed, then any in-year admissions will have to be admitted until the number of children admitted to YR is 45. Any such in-year admissions are likely to necessitate a reorganisation of classes midway through the year to avoid breaching the aforementioned Infant Class Sizes Regulations. Additionally, if the number of children in YR is limited to 30 at this point in time, then the School will be able to plan with certainty that in September 2026 it will need staffing for one YR class.

29. 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.

30. I note here that reducing the PAN does not reduce the overall capacity of the School unless accommodation is being removed from the premises. It is not being suggested that accommodation is being removed and so the physical capacity of the School remains the same. Reducing the PAN will not change that. What this means is that should there be a

need for the School to increase its PAN and / or admit more children in 2026/27 than it currently expects to, there remains the capacity in the building for it to do so.

Determination

31. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Oxfordshire County Council for North Kidlington Primary School for 2026/27.

32. I determine that for admission to Reception Year in 2026/27, the published admission number shall be 30.

Dated: 2 June 2026

Signed:

Schools Adjudicator: Catherine Crooks