



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2747

Admission Authority: Hampshire County Council for Ashley Infant School in New Milton, Hampshire

Local Authority: Hampshire County Council

Date of decision: 10 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 Hampshire County Council for Ashley Infant School for 2026/27.

I determine that for admission in 2026/27, the published admission number for entry to Year R will be 30.

The referral

1. Hampshire County Council (the Local Authority) for Ashley Infant School (the School) has referred to the adjudicator a proposal for a variation to the admission arrangements for 2026/27 (the Arrangements).
2. The School is a community school for children aged four to seven in New Milton, Hampshire. The Local Authority is the admission authority for the School.
3. The parties to the request are the School and the Local Authority.
4. The proposed variation is that the published admission number (the PAN) for 2026/27 is reduced from 45 to 30.

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 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 it has the support of the governing body of the School.

7. 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 Local Authority dated 1 June 2026 and supporting documents;
- the determined Arrangements for 2026/27 and the proposed variation to those Arrangements;
- maps, including Google Maps, showing the location of the School and other schools; and
- information available on government websites, including ‘Get Information About Schools’ (GIAS).

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. I note here that the Arrangements for 2027/28 have already been determined. This means that if I agree to the Local Authority’s request to vary the Arrangements for 2026/27 by reducing the PAN from 45 to 30 as proposed, it will be for that year only and will not have a bearing on subsequent years.

12. In the interests of dealing speedily with this and other requests for variations, particularly from Hampshire County Council, I have not considered other aspects of the admission 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 major change in circumstances relied upon by the Local Authority is set out in the referral as follows:

“The Published Admission Number (PAN) for Ashley Infant School for 2026/27 is 45. However, for the 2026 admissions round, the school has received only 30 offers. As a result, and with the support of the Local Authority, the school is seeking to reduce its PAN to 30 for Year R admissions in September 2026.

[...]

With a PAN of 45, the school currently operates a 5 class structure across the three year groups.

[...]

Should the reduction in PAN from 45 to 30 be approved, the school will move from 5 classes to 4 classes from September 2026. The proposed class structure ... will see the school operating a discrete Year R class and 3 mixed year 1 and 2 classes to best manage resources.

[...]

This reduction is necessary to align the PAN with actual pupil numbers and to secure the school's ongoing financial and organisational viability. If the school were required to run a 5th class without sufficient pupil numbers, it would place a significant and continued financial strain on the school.

The financial analysis shows that reducing the PAN from 45 to 30, alongside lowering [Year R] staffing from two teachers and two teaching assistants to one of each, significantly strengthens the school's financial position over the three-year period.”

15. 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 is reduced as proposed. I have also considered the demand for places at the School, the reasons given for the

changes in demand, the potential effect on parental preference of the proposed PAN reductions and whether the proposed reductions are justified taking into account all relevant circumstances.

Overall demand for Year R places in the area and parental preference

16. The Local Authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty, it 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 each containing a number of schools, for this purpose. The school is one of four schools in the “New Milton Primary Planning Area” for which Year R is the normal point of admission.

17. There are currently 167 places available for admission to Year R in these schools in September 2026, but only 145 offers have been made, as follows:

Table 1: expected admissions to Year R in the New Milton Primary planning area in September 2026

School	PAN for Year R	Places offered for 2026
Ashley Infant School	45	30
Hordle CofE Primary School	45	45
New Milton Infant School	60	57
Tiptoe Primary School	17	13
TOTAL	167	145

18. This table shows that there are currently 22 surplus places in the planning area, which would be reduced to seven if the proposed variation were approved. These seven surplus places would represent between four and five per cent of the revised total of 152 places.

19. I have also been informed by the Local Authority that there are a number of other Year R places that have not been filled at other schools within a short distance of the School. There are 24 offers for a school with a PAN of 30 that is 2.3 miles from the School, and 14 offers for a school with a PAN of 30 that is 3.3 miles from the School.

20. Consequently, I am satisfied that there would not be a shortage of places in the planning area, or nearby, for children who may in future be seeking a place in Year R in 2026/27, but whose parents have not yet applied.

Places at the School

21. I have been assured by the Local Authority that all the children for whom the school was their highest available preference received an offer on National Offer Day. I am

satisfied that the proposed variation would not frustrate existing parental preference for places in Year R in September 2026 at the School, since all 30 of the children seeking a place at the School in September 2026 would still be able to be admitted

22. The Local Authority has helpfully provided me with a detailed breakdown of how the School will organise its classes in 2026/27 if the proposed variation is approved. With a PAN of 30, the School will be able to operate a single discrete Year R class and hence it can plan with certainty for a four class model from September 2026 (one class in Year R and three mixed Year 1 and Year 2 classes).

23. However, with the PAN of 45 currently in place for Year R for 2026, any in-year applications to Year R during 2026/27 would have to be admitted. This would necessitate the creation of an extra Year R class in order to manage the number of pupils, if the school wished to avoid reorganising any of the other mixed age classes. This is because of the need to adhere to the provisions of the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Sizes Regulations), which apply to the School and 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.

24. The effect of the proposed variation for 2026/27 would be to remove the risk of this scenario and to enable the School to plan with certainty for four classes overall throughout 2026/27. In the event that any in-year applications were made, the school would be better placed to refuse such applications because they would be able to show that the admission of additional children could be prejudicial to the efficient provision of education and the efficient use of resources, given the organisational structure which would be in place.

25. The Local Authority has also provided me with a summary of the School's financial position to support the variation request. This summary shows that the School is currently in a stable financial position. However, the School is projected to be running an in-year deficit in 2027-28. The proposed variation would guarantee a reduction in staffing costs, increasing the in-year surplus in 2026-27 and reducing the in-year deficit in 2027-28. The Local Authority's modelling suggests that the overall effect on the cumulative position at the end of 2027-28 would be to boost the School's reserves by £185,774. In my view, this is a persuasive argument in favour of the proposal.

Summary of findings

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

- a. The proposed variation does not give rise to concerns about the sufficiency of Year R places in the planning area for 2026/27.
- b. There is no indication that the proposed variation leads to any frustration of existing parental preference.

- c. By enabling the School to plan with certainty for four classes in 2026/27, the proposed variation removes the financial and organisational risk of having to plan for two Year R classes. If funding has to be diverted to pay for the provision of an extra class for 2026/27, 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.

27. After carefully weighing the above factors, I conclude that the proposed variation is justified by the change in circumstances, and I approve it.

Determination

- 28. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Ashley Infant Junior School for 2026/27.
- 29. I determine that for admission in 2026/27, the published admission number for entry to Year R will be 30.

Dated: 10 June 2026

Signed:

Schools Adjudicator: Clive Sentance