



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2731

Admission Authority: Oxfordshire County Council for Wychwood Church of England Primary School

Date of decision: 09 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 Wychwood Church of England Primary School, for 2026.

I determine that for admission in 2026 the published admission number will be 30.

The referral

1. Oxfordshire County Council (the Local Authority or LA) has referred to the Adjudicator a proposal for a variation to the admission arrangements for Wychwood Church of England Primary School (the School or WPS) for 2026 (the Arrangements).
2. WPS is a voluntary controlled primary school for children aged three to eleven years. It is a co-educational, non-selective school with a Church of England religious character. The faith body for the School is the Diocese of Oxford (the Diocese).
3. The Admission Authority for the School is the Local Authority. As the LA is the Admission Authority, both terms are used throughout this determination.
4. Parties to the request are the LA, the School and the Diocese.
5. The proposed variation is that the published admission number (PAN), which applies to the Reception Year (Year R) be reduced from 45 to 30.

Jurisdiction and procedure

6. 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”.

7. The Arrangements were determined by the Admission Authority on 20 January 2025. 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 the interests of dealing speedily with this request for a variation, 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.

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 14 May 2026 and supporting documents;
- the determined Arrangements for 2026 and the proposed variation to those Arrangements;
- responses from the LA, the School and the Diocese to my requests for further information;
- maps, including Google Maps and those showing the location of the School;
- information available on the government website ‘Get Information About Schools’ (GIAS); and

- information available on the website of the LA, including the arrangements for 2027; and on the website of Gloucestershire County Council.

11. I would like to extend my thanks to all parties for their prompt responses to my requests for further information.

12. 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.

13. The referral states:

“The school management view is that PAN 30 for this intake year is more financially viable and can be better managed due to the lower recruitment and school staffing circumstances. The expectation would be that the school would revert to the normal PAN in future years.”

14. I note here that the Arrangements for 2027 have been determined, and a PAN of 45 has been set. Consequently, if I agree to the Admission Authority’s request to vary the Arrangements for 2026 by reducing the PAN as proposed, it will be for that year only and will not have a bearing on subsequent years. In other words, the PAN for 2027 will remain at 45 unless the Admission Authority submits a request for variation to the Adjudicator and that request is agreed.

Consideration of proposed variation

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 has proposed that the PAN of the School is reduced from 45 to 30 for entry to Year R in September 2026. The proposal has the support of the School and of the Diocese. The referral gave the reason for seeking a variation as follows:

“PAN 30 will ensure adult/child ratios in Reception, Year 1 and Year 2 classes are compliant with regulations.

Recruitment into Reception class is fewer than 30 which seems to reflect a trend of lower recruitment numbers widespread among schools this year. The school would have staffed 45 children with two members of staff. One of these is due to be on maternity leave during the 2026/27 school year. Due to the lower number recruited the school would not need to appoint a maternity cover which would be in line with reduced finances resulting from a smaller intake. But a Variation is needed to reduce the maximum permitted number in the Reception class from 45 to 30 to avoid the

need of a second member of staff which the school will not be in a financially secure enough position to afford.”

17. The referral also stated:

“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 [infant class size] regulations. . . Most intake years the school has received insufficient applications to fill all 45 places and numbers have fluctuated. . .

This is a rural area and housing growth is low. Limiting intake to 30 will allow for better planning and management and provide the opportunity for the school to aim at financial stability.”

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. 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 make sure that there are sufficient places for the children in its area. It generally uses planning areas, which are geographical areas each containing a number of schools, for this purpose. The School belongs to the Burford planning area, specifically to the Burford North sub-area. The referral stated:

“Wychwood Church of England Primary School is a school in a rural area. A change at this school would be unlikely to affect all of the schools in the planning sub-area of Burford North but equally could have some effect on schools in a neighbouring planning area – Chipping Norton.”

20. The LA identified a total of six schools (the six schools) which are those nearest to WPS and therefore most likely to be affected by the proposed variation. GIAS, which uses straight line distances, shows that these are the only schools within five miles of the School which admit children to Year R. Of the six schools, four are within the LA area and two are within Gloucestershire. The LA supplied data for the four schools in its area, plus WPS. I refer to these in total as the five Oxfordshire schools.

21. Table 1, below, shows: the sum of the PANs at the five Oxfordshire schools; and the number of children offered a place on National Offer Day (NOD) in each of 2023, 2024, 2025 and 2026. Table 1 also demonstrates the effect on surplus places of reducing the PAN of the School as has been proposed.

Table 1: School places at the five Oxfordshire schools, and the number of children offered a place

	2023	2024	2025	2026
Number of places in Year R in schools in the area (with a PAN of 45 for the School)	125	125	125	125
Number of children offered a place	119	100	121	104
Vacant places	6	25	4	21
Vacant places as a percentage of total places	4.8	20	3.2	16.8
Number of places in Year R if variation approved (with a PAN of 30 for the School)	110	110	110	110
Vacant places if variation approved	N/A	N/A	N/A	6
Vacant places as a percentage of total places if variation approved	N/A	N/A	N/A	5.45

22. The LA also provided data which shows that, for the 2024 Year R cohort, 100 offers of places were made to the five Oxfordshire schools and there are now 104 children on roll. In 2025, 121 offers were made and 123 children are now on roll. In other words, the number of children at these five schools has, in total, remained very close to the number of offers made on NOD.

23. The Department for Education 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 in table 1, I am satisfied that if the PAN of the School were to be reduced to 30 for 2026, there would be sufficient places available in the area for any children who might be seeking a Year R place.

24. I will now consider the demand for places at the School. Table 2 shows the number of first preference applications received, and the number of offers made on NOD, for 2026 and in the previous two years.

Table 2: The number of first preference applications for the School for each of 2024, 2025 and 2026; and the number of children offered a place.

	2024	2025	2026
The PAN for the School	45	45	45
Number of first preferences	35	37	27
Number of children offered	37	40	28

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. As NOD has passed, the proposed variation would have no effect on parental preference in respect of applications received as part of the normal admissions process for September 2026.

26. I cannot, however, rule out the possibility that some parents may be disappointed if the PAN was reduced as proposed: namely, those who have or may apply late, and parents who seek a place during the course of the 2026/27 school year. Indeed, the LA told me:

“The Admission Authority (Oxfordshire County Council) is aware of 3 late applications for Wychwood Church of England Primary School. One of these lives in the school’s catchment area, one claims they will be moving to the school’s catchment area and one lives outside the catchment area.”

27. If the proposed variation was agreed, one of these late applicants would be denied a place. However, there are surplus places at other schools within the area, as set out in table 1. LA data shows that currently, two of the other Oxfordshire schools which are the subject of that table have at least one vacant space for September 2026. The next closest school to WPS is, according to GIAS, 3.1 miles away in Gloucestershire. I have consulted the Gloucestershire website and, on NOD, four vacant places remained at that school. There was one vacant space at the other Gloucestershire school.

28. The School is affected by the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 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 schoolteacher except in specific exceptional circumstances. The infant class size regulations apply to Year R, Year 1 and Year 2. Children at the School are currently organised into two, single age classes for Year R. The other year groups are organised into mixed-age classes, giving a total of eleven classes in the School. If the variation was agreed then all Year R children could be taught in a single class, resulting in ten total classes.

29. If the PAN remained at 45 and, say, all three late applicants were admitted to the School, there would be 31 children in Year R. Those children could not be taught by a single teacher without breaching the Infant Class Size Regulations. Unless mixed in with other year groups, the Year R children would need to be taught in two classes of 15 or 16

pupils each, which is unlikely to be financially viable. As the PAN would apply to Year R for the entirety of the 2026/27 academic year, the Local Authority would also be required to admit to the School any child whose parents requested a Year R place, until 45 children had been admitted. Even if the number of children admitted on the first day of term in September 2026 was 30 or fewer and the School was able to operate a single Year R class, any in-year admissions would be likely to necessitate a reorganisation of classes midway through the year. If, however, the proposed variation was agreed, the School would be able to plan with certainty that in September 2026 staffing for a single Year R class would be required.

30. This situation is recognised by the School, which told me:

“If the variation is agreed:

The temporary reduction in the Published Admission Number for September 2026 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 need to employ an additional teacher for reception, and allow the school to plan staffing and resources responsibly.

If the variation is not agreed:

The school would be required to admit up to 45 pupils into Reception for September 2026 despite demand falling significantly below that number. This would create financial and operational pressures without corresponding educational benefit and would be contrary to the interests of both the school community and the Local Authority.”

31. The Diocese stated, in support of the proposed variation:

“There is a significant decline of pupil number across multiple areas across the diocese (indeed most areas unless there is significant new housing under construction), so many schools are having to adapt to a new climate of fewer pupils. A school with a PAN of 45 is at significant financial risk when pupil number decline due to infant class size legislation. Therefore, ODBE [Oxford Diocesan Board of Education] supports this reduction in PAN to enable the school to remain financially viable.”

32. After carefully weighing the above factors, I consider that it is reasonable to conclude that the proposed variation is justified by the circumstances. I approve the proposed variation to reduce the PAN for 2026 to 30.

33. 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 admit more children than it currently expects to, there remains the capacity in the building for it to do so.

Determination

34. 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 Wychwood Church of England Primary School, for 2026.

35. I determine that for admission in 2026 the published admission number will be 30.

Dated: 09 June 2026

Signed:

Schools Adjudicator: Jennifer Gamble