



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2735

Admission Authority: The Governing Body for Green Park School,
Newport Pagnell

Local Authority: Milton Keynes City Council

Date of decision: 17 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 the Governing Body for Green Park School for 2027/28.

I determine that for admission to Reception Year in 2027/28, the published admission number shall be 30.

I have also considered the arrangements under section 88I(5) and find that they do not comply with requirements relating to admission arrangements in the ways set out in this determination.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination.

The referral

1. The Governing Body (the Admission Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Green Park School (the School) for 2027/28 (the Arrangements).
2. The School is a foundation school for children aged four to eleven years in Newport Pagnell. It is a co-educational, non-selective school with no designated religious character. The School is located in the Milton Keynes City Council area (the Local Authority, LA).
3. Parties to the request are the School and the Local Authority.

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 2027.

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 9 December 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. I have also used my power under section 88I of the Act to consider the Arrangements as a whole and to determine whether or not they conform with the requirements relating to admissions and, if not, in what ways they do not so conform. I will refer to these as ‘other matters’ and they are covered in the section of the determination under that name.

10. In considering the variation request and the matters considered under section 88I, I have had regard to all relevant legislation and the Code.

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

- the referral from the Admission Authority dated 21 May 2026 and supporting documents (the referral form);
- the determined Arrangements for 2027/28 and the proposed variation to those Arrangements;

- responses from the LA and the School to my requests for further information;
- a map 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.

12. I would like to extend my thanks to the LA and the School for their responses to my requests for further information.

13. 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.

14. I note here that the Arrangements for 2028/29 have not yet been determined. This means that if I decide to approve the proposed variation to the Arrangements for 2027/28 by reducing the PAN from 45 to 30 as proposed, it will have the effect of forming the 'baseline' for subsequent years.

15. The Admission Authority appears to have misunderstood the way that a change in the PAN for 2027/28, by way of the proposed variation being agreed, would work in future years. As I explained above, reducing the PAN for 2027/28 at this point would have the effect of forming the 'baseline' for the following years' arrangements. Should I determine to reduce the PAN, then there will be no need to consult on a reduction to the PAN in 2028/29 as this would be carried forward from the amended 2027/28 arrangements. However, for the avoidance of doubt, there is nothing that would prevent the Admission Authority from consulting if it wished to do so; or if it is required to do so because it has not consulted on its Arrangements in the last seven years as required by paragraph 1.45 of the Code.

Consideration of proposed variation

16. The Admission Authority has proposed that the PAN of the School is reduced from 45 to 30 for entry to YR in September 2027.

17. 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.

18. The Arrangements set out the following oversubscription criteria:

1a. Looked after or previously looked after children.

1b. Children with an Education, Health and Care Plan (EHCP) naming the School.

2. Pupils living in the defined [catchment] area with siblings attending the school at the time of admission.
3. Pupils living in the defined area.
4. Pupils living outside the defined area with siblings attending the school at time of admission.
5. Pupils who live outside the defined area.

In the event of oversubscription, where there are more applications than places, places will be allocated according to the criteria already listed above. In the event of oversubscription within any of the above categories, proximity to the school will be used as a tiebreaker. Distances will be measured in a straight line using the Local Authority's computerised measuring system with those living closest to the school receiving the highest priority.

19. The Admission Authority told me that the reasons for it seeking a variation for the School are:

"Milton Keynes, like many other local authority areas, is experiencing significant surplus places in the primary sector due to a fall in the birth rate. This means that families have more choice when selecting primary phase schools and schools that were historically full and popular are being impacted by this reduced demand, particularly in the older and more established areas of Milton Keynes.

Green Park School has historically been a 1.5FE [forms of entry] primary school with a published admission number (PAN) of 45. The fall in pupil numbers is having a significant impact on the budget position and is not sustainable in the longer term and will result in a deficit budget position in the next two years. For admission in September 2026, 32 children have been allocated a place at the school. This means that we will need to employ two class teachers to comply with infant class size legislation but will only receive funding for 32 pupils (13 below the current PAN). For the 2026/27 academic year, it is likely that we will have 40 pupils less across the whole school than our full capacity."

20. The Local Authority fully supports the proposed variation.

21. 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 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 reduction on meeting parental preference, and whether the proposed reduction is justified taking into account all relevant circumstances.

22. The LA has a duty to ensure that there are sufficient places for the children in its area. To fulfil this duty the LA assesses the likely future number of places to be needed and plans to meet that need. The LA uses planning areas, which are geographical areas and the schools within those areas, for this purpose. Each planning area is a geographical area

containing a number of schools. The School is based in the Ousedale Liaison Group planning area of the Local Authority. There are ten schools in the planning area, including the School, that admit children to YR.

Table 1 summarises data for the schools in the planning area that admit children to YR for 2026/27 through to 2028/29. It shows that there is a significant number of surplus places.

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

	2026/27	2027/28	2028/29
The sum of the PANs	378	378	378*
The number of children admitted or forecast to be admitted	230	227	238
The number of vacant places	148	151	140
The number of vacant places as a percentage of the total number of places	39.1	39.9	37.0

* This is based on the sum of the PANs for the schools in the planning area for 2027/28 as schools have yet to determine their arrangements for 2028/29.

23. I note that the number of offers made on National Offer Day 2026 (16 April 2026) was 250. This was higher than the 230 places forecast to be required. I asked the LA to clarify the situation and, in its response to me, dated 15 June 2026, the LA said:

“While the projected demand for the planning area is 230, this figure is based on children living within the schools’ catchment area and does not take parental preference into account. The number of children allocated to schools in the planning area (255) includes those who live outside the area but have expressed a preference for a school within it.”

24. The LA also provided me with data that predicts a surplus capacity of over 120 children in the planning area and “if no action is taken to reduce the number of available places”, a surplus of over 800 YR places across the LA by September 2027.

25. 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”. If I were to agree to the proposed variation for September 2027, even taking into consideration the potential for applications from outside of the catchment area, the proportion of vacant places in the planning area would remain well above the DfE’s minimum requirements.

26. 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 2027/28, there would be sufficient places available in the planning area for any parents seeking a YR place for their child.

27. I will now consider the demand for places at the School. Table 2 summarises recent admissions to the School.

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

	2024/25	2025/26	2026/27	2027/28
The PAN for the School	45	45	45	45
The number of first preferences	47	37	32	-
The number of children admitted to YR (places offered 2026/27 / forecast 2027/28)	45	37	32	21
The number of vacant places	0	8	13	24
The number of vacant places as a percentage	0	17.8	28.9	53.3

28. Table 2 shows that over the last three years, the number of parents choosing the School as their first preference for their child has decreased and, since 2025/26, all first preference applicants have been offered a place.

29. Of the 32 places offered for admission to YR in September 2026, 25 places were for children living in the school's catchment area or with a sibling at the School (up to and including criterion 4 of the oversubscription criteria). A further seven children were offered places under criterion 5. For admission in September 2027, the LA are forecasting 21 children will require a place at the School under criteria 1 to 4. The LA are, therefore, of the view that a reduction in PAN will have no impact on local catchment children in 2027/28.

30. Based on data provided by the Admission Authority and the Local Authority, the total number of places forecast to be required for children living in the School's catchment area is likely to fall further and remain below 30 for the foreseeable future. The evidence supports the Admission Authority's and the Local Authority's view that a single form of entry (up to 30 pupils) would meet the needs of the local community.

31. On balance, there is likely to be little frustration of parental preference if the PAN is reduced to 30 as proposed.

32. 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 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 impact on the School's budget. This is the situation the School currently faces for 2026/27.

33. In its referral form, the Admission Authority said:

"Green Park School can no longer continue with its current admissions model. The budget is now difficult to balance, and we are having to lose staff on fixed term contracts and considering redundancy where roles are no longer needed or justified

within the organisation. The three year budget plan shows a deficit model and big savings will need to be made to avoid such a scenario.”

34. The FBIT website shows that the School has managed to balance its budget for the last two years but the need to operate classes with many children fewer than 30 will compound any budget difficulties. This is because schools are largely funded based on the number of pupils on their rolls and it is more efficient financially for primary schools to have classes of 30 or near to 30. Classes that are significantly smaller than 30 can create financial strain upon a school.

35. If the PAN is set at 30, the School will be able to plan its staffing structure with confidence that additional staffing or reorganisation will not be required during 2027/28,

36. 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 2027/28 to 30.

37. 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 2027/28 than it currently expects to, there remains the capacity in the building for it to do so.

38. I further note that the Arrangements state: “the official limit for admission to the school is 45 pupils in each year group:- Foundation, Y1, Y2, Y3, Y4, Y5, Y6.” By ‘official limit’, I take it that the Admission Authority is referring to the PAN. For the sake of transparency, I would like to clarify that the PAN only applies to the ‘relevant age group’, in this case YR. A PAN does not, therefore, exist for other year groups. An admissions authority may refuse admission to a year group where the admission of another child would cause it to break the Infant Class Sizes Regulations or otherwise prejudice the provision of efficient education or efficient use of resources. For example, it may be possible to show that admitting another child into a particular year group would require the School to reorganise its classes and incur additional staffing costs, therefore, having a disproportionate effect on the efficient use of resources.

Other matters

39. Having considered the Arrangements as a whole there are matters which do not conform with the requirements of the Code. These matters are (paragraphs of the Code are indicated where relevant):

- The oversubscription criteria place children with an EHCP naming the School as second in the list of priorities (labelled ‘1b’). This is not in line with the Code which states that all children whose EHCP names the School must be admitted. These children should, therefore, be admitted to the School before the oversubscription criteria are considered (Paragraph 1.6).

- The Arrangements do not meet the requirements relating to how the distance from home to the school and/or any nodal points used in the arrangements will be measured. Nor do they make clear how the 'home' address will be determined and the point(s) in the school or nodal points from which all distances will be measured. There is no provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent (Paragraph 1.13).
- Once admission authorities have determined their admission arrangements, they must publish a copy of the determined arrangements on the school's website by 15 March in the determination year and continue displaying them for the whole offer year (the school year in which offers for places are made). The only arrangements available on the website as of 3 June 2026 were dated 2024 (Paragraph 1.50).
- The Arrangements do not meet the requirements relating to maintaining a clear, fair, and objective waiting list until at least 31 December of each school year of admission. The arrangements do not state that each added child will require the list to be ranked again in line with the published oversubscription criteria (Paragraph 2.15).
- The Arrangements state: "It is determined that the school will continue to admit children at a single point of entry in the September of the year in which they are five years old."¹ This does not meet the requirements of the Code in relation to the admission of children below compulsory school age and deferred entry to school and the admission of children outside their normal age group (Paragraphs 2.17 and 2.18 to 2.20).
- The Arrangements state that: "Decisions on admissions for a school year are usually finalised in March when parents will be informed and offered a place by the Council on behalf of Governors." This may be misleading for parents as the Code states that all YR offers are made on National Offer Day (the 16 April or the next working day), in the year in which the child will be admitted (Paragraph 15e).
- As a result of the matters set out above, the Arrangements are also in breach of Paragraph 14 of the Code which requires admission authorities to ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

¹ It should be noted that the Arrangements suggest that this approach is in line with the Local Authority's policy. This is not the case.

40. The Admission Authority has told me that it will address these matters, as permitted by paragraph 3.6 of the Code, which is welcomed. As the Admission Authority has accepted that changes are required, I will not discuss them further other than to make clear that the Code requires that the Arrangements be amended to address the points set out here.

41. The Admission Authority has made suggestions as to how the arrangements for 2027/28 could be changed to make them compliant with the Code. As an adjudicator, my jurisdiction is for the Arrangements determined and to decide whether they comply with all relevant legal requirements. It is not open to me to determine how the Arrangements should be. I cannot, therefore, advise on the suggestions made.

Determination

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 the Governing Body for Green Park School for 2027/28.

43. I determine that for admission to Reception Year in 2027/28, the published admission number shall be 30.

44. I have also considered the arrangements under section 88I(5) and find that they do not comply with requirements relating to admission arrangements in the ways set out in this determination.

45. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination.

Dated: 17 June 2026

Signed:

Schools Adjudicator: Catherine Crooks