



Office of
the Schools
Adjudicator

Determination

Case references: VAR2733 and VAR2734

Admission Authority: Hampshire County Council for Orchard Lea Infant School

Date of decision: 17 June 2026

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Hampshire County Council for Orchard Lea Infant School for 2025/26 and 2026/27.

I determine that for admission in 2025/26 the published admission number shall be 30.

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

The referral

1. Hampshire County Council (the Admission Authority) has referred to the adjudicator a proposal for variations to the admission arrangements for Orchard Lea Infant School (the School) for 2025/26 and 2026/27 (the Arrangements). The reasons for the requests for variations are based on the same reasoning and similar facts and so I have dealt with them together in this determination, setting out where there is any distinction.
2. The School is a community school for children aged four to seven in Fareham, Hampshire. It is a co-educational, non-selective school with no designated religious character. It is federated with Orchard Lea Junior School. The School is located in the local authority area of Hampshire County Council (the LA). As the LA is the Admission Authority, both terms are used throughout this determination.
3. The proposed variations are that for each of the admissions years 2025/26 and 2026/27, the published admissions number (PAN) be reduced from 60 to 30.

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 Arrangements were determined by the Admission Authority on 20 February 2024 for 2025/26 and 12 February 2025 for 2026/27.

6. The Admission Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code.

7. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are 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 Admission Authority dated 21 May 2026 and supporting documents;
- the determined Arrangements for 2025/26 and 2026/27 and the proposed variations to those Arrangements;
- responses from the School to my requests for further information;
- 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 LA.

10. I would like to extend my thanks to the School for their response to my request for further information.

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 have been determined and that the PAN for the School has been set at 60. This means that if I agree to the Admission Authority's request to vary the Arrangements for 2025/26 and 2026/27 by reducing the PAN from 60 to 30 as proposed, it will be for those two years only and will not have a bearing on subsequent years.

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 variations are justified by the change in circumstances.

14. The Admission Authority has proposed that the PAN for the School be reduced from 60 to 30 for the years 2025/26 and 2026/27.

15. The Admission Authority told me that the reason for seeking variations for the School is to align the PAN with current and projected pupil numbers so that the School can remain organisationally and financially stable. The School supports the variations.

16. 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. The School is situated in the LA's Fareham Central/East planning area and is one of eleven schools in that planning area, of which eight, including the School, admit pupils into Reception Year (YR).

17. The LA has told me that for the 2025/26 intake, there were 27 first preferences expressed for the School, 34 children were admitted and there are currently 31 children in YR. The LA has told me that for the admissions year 2026/27, there were 24 first preferences expressed for the School and 27 places have been offered (with a current PAN of 60). I am also told that several other schools in the planning area have offered below their PANs for 2026/27.

18. Table 1 shows, for the Fareham Central/East planning area, the PAN for each school admitting children to YR over the last two years, together with offers made for 2026/27 and the percentage of surplus places in YR for the planning area as a whole (my calculations). 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”. I note that the proportion of vacant places in the planning area has been considerably higher than two per cent in recent years and would continue to be so if I agree to the proposed reductions in PAN.

Table 1: Number of children admitted (or offered places for 2026/27) to YR in schools in the Fareham Central/East planning area

School	PAN	2024/25	2025/26	2026/27
Harrison Primary School	90	90	81	84
Orchard Lea Infant School	60	33	34	27
Ranvilles Infant School	60	60	60	60
Redlands Primary School	45	45	45	44
St Columba CE Primary School	30	13	19	18
St Jude’s Catholic Primary School	30	31	31	30
Uplands Primary School	45	45	45	45
Wallisdean Infant School	60	47	36	43
TOTAL	420	364	351	351
Number of surplus places	-	56	69 (39*)	69 (39*)
Surplus places as a percentage of the total number of places	-	13.3%	16.4% (10%)*	16.4% (10%)*

*if PAN at the School is reduced to 30

19. Of those schools in the planning area with places available in the 2025/26 and 2026/27 cohorts, Harrison Primary School is one kilometre from the School, St Columba CE Primary School is two kilometres from the School and Wallisdean Infant School is three kilometres from the School. I accept that the LA has provided compelling evidence that it will be able to manage school places in the planning area if I agree to reducing the PAN to 30 for 2025/26 and 2026/27.

20. From its response, dated 8 June 2026, to my letter seeking further information, the School is under the misapprehension that there will be a ‘cap’ on the number of children in Year 1 next year. If I agree to the reduction in PAN to 30 for 2025/26, the Admission Authority could refuse to admit any more children to YR at the School (although a parent would have the right to appeal). If the PAN remains at 60, the Admission Authority would have to admit a child if an application were made. On the data that has been provided, there will be 31 children moving into Y1 in September 2026. Infant class sizes are limited to 30 (as set out in The School Admissions (Infant Class Sizes) (England) Regulations 2012

and in paragraph 2.16 of the Code) and the School will still need to make provision so that they are compliant with those regulations. The Admission Authority will not be able to “off-roll” any children in order to reduce the size of the class or year group.

21. It has been difficult to obtain accurate financial forecasts for the School, not least because there is some discrepancy between the figures provided by the LA and the figures provided by the School. In addition, the School has provided me with a financial forecast based on there being 122 children on the roll for 2026/27 despite their data showing the number to be 88. Where a class has significantly fewer than 30 children, the proportionate cost of a teacher and the resources necessary for a class, can have a substantial negative impact on the financial position of a school. Several classes with significantly fewer than 30 pupils can lead to significant financial difficulties. If there were to be year groups of just over 30 children, say 34, the School would have to organise its classes to meet the infant class size regulations, which, if there were 34 pupils, could be two classes of 17 pupils each. This is likely to lead to financial difficulties which would have implications for the education provided.

22. Considering the data for the planning area as a whole, it is unlikely the School would be required to admit more than 30 children in September 2026. However, if the PAN remains at 60 and the School is, therefore, required to take additional children such that the number in YR exceeds 30, the School may have to reorganise its classes and/or employ additional staff during the year. If this were to be the case, there would be a substantial detrimental financial and organisational impact for the School. The same argument applies to the remainder of the current academic year (2025/26).

23. I have considered the impact that reducing the PAN to 30 would have on parental preference for the School. Given the data shows that first preferences have been below 30 for the School for the last two years, and given that, even accommodating lower parental preferences, the intake for YR in 2026/27 is projected to be below 30, I am satisfied that reducing the PAN will not have any significant impact on parental preference for 2025/26 and 2026/27.

24. Taking all of the above into account, I therefore approve the reduction of the PAN from 60 to 30 for the years 2025/26 and 2026/27.

25. 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 2025/26 (as in-year admissions) or 2026/27 than it currently expects to, there remains the capacity in the building for it to do so.

Determination

26. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Hampshire County Council for Orchard Lea Infant School for 2025/26 and 2026/27.
27. I determine that for admission in 2025/26 the published admission number shall be 30.
28. I determine that for admission in 2026/27 the published admission number shall be 30.

Dated: 17 June 2026

Signed:

Schools Adjudicator: Miranda Barnett