



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2703 and VAR2704

Admission Authority: Worcestershire County Council for Swan Lane First School

Date of decision: 22 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 Worcestershire County Council for Swan Lane First School for 2026/2027 and for 2027/2028.

I determine that for admission in 2026/2027 and 2027/ 2028, the published admission number shall be 45.

The referral

1. Worcestershire County Council (the Admission Authority, the Local Authority) has referred to the adjudicator two proposals for a variation to the admission arrangements (collectively, “the Arrangements”) for Swan Lane First School (the School, Swan Lane) for 2026/2027 and 2027/2028.
2. The School is a community school for children aged four to ten years in Evesham. 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) for Reception Year (YR) in the academic years 2026 2027 and 2027/2028 be reduced from 60 to 45.

Jurisdiction and procedure

5. Section 88E of the School Standards and Framework Act 1998 (the 1998 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 in February 2025 for 2026/2027 and in February 2026 for 2027/2028.

7. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code. The Local Authority has also provided me with confirmation that the Governing Body of the School has been consulted on the proposed variation (and indeed that the Governing Body had asked the Local Authority to request the proposed variations).

8. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.

9. In order not to delay my determination of these variation requests, I have not exercised my powers to consider other aspects of the admission arrangements under section 88I(5) of the 1998 Act. 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.

10. In considering the variation request, 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 11 March 2026 and supporting documents;
- the determined Arrangements for 2026/2027 and for 2027/2028, and the proposed variation to those Arrangements;

- responses from the Local Authority and 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 the 'Get Information About Schools' (GIAS) and 'Financial Benchmarking and Insights Tool' (FBIT) websites), and the websites of the Local Authority and the School.

12. I would like to extend my thanks to the Local Authority and the School for their detailed and very helpful responses to my requests for information.

13. I have been provided with a substantial amount of information / data by the Local Authority and the School. I have referred only to that which has a bearing on my determination.

14. 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.

15. I note here that the Arrangements for both 2026/2027 and 2027/2028 have been determined. This means that if I agree to the Admission Authority's request to vary the Arrangements for 2026/2027 by reducing the PAN to 45 as proposed, it will be for that year only and will not have a bearing on subsequent years. I also note that the Arrangements for 2028/2029 have not yet been determined. This means that if I decide to approve the proposed variation to the Arrangements for 2027/2028, it will have the effect of forming the "baseline" for subsequent years.

16. I further note that the Local Authority has stated it will consult on a PAN reduction to 45 in the Autumn term this year, as part of determining the School's admission arrangements for 2028/2029. However, it will not need to do so should I agree to the variation for 2027/2028, unless it wishes to reduce the PAN further for 2028/2029 or make some other change to the School's admission arrangements.

17. Any determination to reduce the PAN to 45, or to leave it at 60, has no effect on any cohort of pupils other than those in YR. The allocation of places in other year groups depends on the number of pupils in each cohort, the organisation of classes and the degree to which admitting an additional pupil would prejudice the provision of efficient education or the efficient use of resources, or breach the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Sizes Regulations).

Consideration of proposed variation

18. 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.

19. The Local Authority has proposed that the PAN of the School is reduced from 60 to 45 for entry to YR in September 2026 and in September 2027. The proposed variation has the support of the School's Governing Body and, as noted above, the Governing Body asked the Local Authority to request the proposed variations.

20. The Local Authority has told me that the reason for it seeking two variations for the School is that: The Governing Body of the School approached the Local Authority in November 2025 requesting that it consider a PAN reduction from 60 to 45 at the School from September 2026 onwards. At that time, members of the School's Governing Body had not discussed with staff the potential impact of moving from a 12-class structure to a 10-class structure. The Governing Body approved an "in principal" proposal to reduce the PAN at a meeting of the Governing Body on 11 December 2025 but requested that whilst the Admission Authority/ the Local Authority determined if it could support the proposal from a sufficiency perspective (a Local Authority has a statutory duty to ensure there are sufficient school places available in their area for every child of compulsory school age), that this request not be made public until January 2026, at which point staff at the School would have been consulted on the proposed staffing structure to support a PAN of 45. This meant that the Admission Authority/ Local Authority was unable to include the proposal to reduce the PAN for September 2027 in the consultation window for 2027/2028 Arrangements which took place between 20 October 2025 and 30 November 2025. Therefore, any variation to PAN for 2026/2027 will similarly require a variation to the 2027/2028 Arrangements.

21. The School has operated with a PAN of 60 since admission year 2000/2001. Over recent years, the number of children who have entered YR at the School has been consistently below the School's PAN of 60. The number of children admitted into YR has been within the low to mid 40s in range, except for September 2025 entry when the School admitted only 32 pupils to YR. This has resulted in a gradual decline in the total number of children on roll at the School as shown in Table 1 below.

Table 1: Numbers on roll and admitted to YR at the School

Year	Number of children who have entered YR (School Data)	Number on roll (Spring 2025 Census)
2021-2022	Data not available	329
2022-2023	42	325
2023-2024	43	315
2024-2025	46	309
2025-2026	32	292 The Autumn 2025 Census records 285 children on roll.

22. The number of children on roll and the number of children forecast to enter YR are predicted to continue to decline over the coming years. Table 2 below shows the estimated number of children forecast to enter YR at the School and the estimated number of children on roll over the next 3 years.

Table 2: Forecasted numbers on roll and estimated to be admitted to YR at the School

Admission Year	Estimated number of children to enter YR	Estimated total on roll
2026-2027	48	274
2027-2028	40	259
2028-2029	36	247

23. However, the actual figures for 2026/2027 entry are significantly lower than forecasted. On primary National Offer Day 2026 (16 April 2026), 34 children received an offer of a place at the School. All were first preference applications. No children listing the School as a second or third preference required a place. However, since primary National Offer Day, the Local Authority has told me that allocation of places to the School has now fallen to 32 as some families have moved out of area and no longer require their YR place for September 2026.

24. The School is two-form entry and currently has a 12-class structure. I am told by both the Local Authority and the School that the School is funding a staffing structure which reflects the current PAN of 60, despite in the past 4 years the number of children admitted into YR being at least 14 under PAN (and 28 under PAN in September 2025). The School has thus far been able to support a PAN of 60 and a 12-class structure, due to carrying forward surplus budget that the School has had historically, and mitigating actions taken by the School.

25. Funding the current structure is, however, unsustainable for the School on an ongoing basis. Were the School to sustain the current PAN of 60, the School has confirmed that this would place it into a significant in-year deficit, estimated to be approximately £162,000, during the financial year 2026/2027. The School have told me that if it does not change its current structure, the financial implications of reduced pupil numbers would result in the deficit increasing on a year-by-year basis.

26. The Governing Body of the School has told me that a reduction in PAN would enable the School to put in place a consistent, long term, progressive curriculum plan to provide high quality educational provision. If the variations are not approved, the School has said it may need to review the class structure and curriculum annually, potentially leading to an incoherent curriculum, an unsuitable environment for children to learn and consequent instability and uncertainty for children and parents.

27. The School has stated that it is unable to make the necessary changes to the structure to reflect the actual number of children admitted each year, and the overall number of children on roll, without reducing its PAN from 60 to 45. The School has proposed a new structure which would consist of two YR classes of 16 pupils each for September 2026 (on current allocations) leading into three mixed Year 1 and Year 2 classes with a combined capacity of 90, followed by three mixed Year 3 and Year 4 classes. Year 5 classes would not be mixed.

28. The School has additionally confirmed that the new structure, as set out above, would comply with the requirements of the Infant Class Sizes Regulations (which impose a maximum requirement of 30 children to a class at Key Stage 1).

29. 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 60 to 45 for 2026/2027 and for 2027/2028. 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.

30. As described above, the Local Authority has a duty to ensure that there are sufficient school 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 for this purpose, known locally as Education Planning Areas (EPA). Each EPA is a geographical area containing a number of schools. The School is based in the Evesham North EPA of the Local Authority. There are five schools in the Evesham North EPA: Church Lench CE First School, Harvington CE First School, St. Andrew's CE School, St Mary's Catholic Primary School and Swan Lane. In addition, there are five neighbouring schools within 2 miles (based on straight line distance) of Swan Lane including Offenham First School, Bengeworth Academy and St Richard's CE First School, all in the Evesham East EPA. All three of these schools (based on the Local Authority's calculations) are operating with surplus places.

31. There is movement of pupils between catchments in the EPA. On average, I am told, there are 56 pupils per year group residing within the Swan Lane catchment. Each year, on average, 26 Swan Lane catchment resident pupils in each year group attend other schools. Conversely, in each year group, approximately 20 pupils attending Swan Lane come from other catchments. Of pupils attending Swan Lane: 58.8% of current pupils live within catchment. A further 10.9% live within the Evesham North EPA, and nearly all other pupils live in the wider Evesham area.

32. Over the next four years, there is a forecasted oversupply of primary school places in the Evesham North EPA. The Local Authority has calculated this forecast using the predicted numbers of children entering YR for the Evesham North EPA, the numbers on roll from the school census and known pre-school age children from GP registrations. I am told there is some housing growth expected within the planning area (300 completions of new

houses in the next 5 years which are forecast to yield 15 pupils per year group once construction is completed), but there are still forecast to be surplus places available.

33. Table 3 summarises the forecast data supplied to me by the Local Authority for the primary schools in the EPA that admit children into YR. It compares the EPA forecast to the combined sum of the PANs for the schools within the EPA for 2026 and for the subsequent two years. The data supplied is based on forecasts made prior to primary National Offer Day.

Table 3: Comparison of EPA forecast to combined sum of EPA PANs

	September 2026 entry	September 2027 entry	September 2028 entry
The Sum of the PANs	180	180	180
Total forecasted YR intake	163	131	135
Surplus places in the planning area (Sum of PANs minus total forecast)	17	49	45
The number of surplus places as a percentage of the total number of places	9.44%	27.22%	25%

* Noting that offers of places for September 2026 have already been made

34. 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 has told me that it seeks to maintain a five per cent surplus of places across an area to allow for in-year admissions or unexpected increases. If I were to agree to the proposed variations for September 2026 and September 2027, the proportion of vacant places in the planning area would remain well above both the DfE’s and the Local Authority’s minimum requirements. Surplus places in the three schools in Evesham East which are within a two-mile radius of Swan Lane (described above) would also offer an enhanced cushion of surplus places.

35. Based on the information shown in Table 3, I am satisfied that if the PAN of the School were to be reduced to 45 for 2026/27 and 2027/2028, there would be sufficient places available in the planning area for any parents seeking a YR place for their child.

36. I have considered the impact of decreasing admission numbers on the financial viability of the School balanced against the impact reducing the School’s PAN will have on meeting parental preference. Parents have a right to express a preference as to where their children go to school. However, admission authorities cannot give any guarantee that preferences will be met. As detailed above, all first preferences for the School received a

place for September 2026. If the PAN is reduced to 45, there would remain 13 surplus places based on an intake of 32.

37. The School has carefully considered revised class models and confirmed that these will meet the requirements of the Infant Class Sizes Regulations.

38. Taking everything into consideration, I am of the view that the variations are justified by the circumstances. I approve the proposed variations to reduce the PAN for 2026/2027 and 2027/2028 to 45.

39. I note here that reducing the PAN does not reduce the overall capacity of the School (which is 360 pupils) 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 2026/2027 and 2027/2028 than it currently expects to, there remains the capacity in the building for it to do so.

Determination

40. **In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Worcestershire County Council for Swan Lane First School for 2026/2027 and for 2027/2028.**

41. **I determine that for admission in 2026/2027 and 2027/2028, the published admission number shall be 45.**

Dated: 22 June 2026

Signed:

Schools Adjudicator: Emma Harrison