



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2753

Admission Authority: Central Bedfordshire Council for Silsoe Church of England Voluntary Controlled Lower School

Date of decision: 14 July 2026

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by Central Bedfordshire Council for Silsoe Church of England Voluntary Controlled Lower School for 2026/27.

The published admission number for admissions to the Reception Year in 2026/27 shall remain at 60.

The referral

1. Central Bedfordshire Council (the Admission Authority; the Local Authority) has referred to the adjudicator a proposal for a variation to the admission arrangements (the Arrangements) for Silsoe Church of England Voluntary Controlled Lower School (the School) for 2026/27.
2. The School is a voluntary controlled school for children aged four to nine years in the village of Silsoe, Bedfordshire. It is a co-educational school with a Church of England religious character. The Diocese of St Albans (the Diocese) is the religious authority for the School.
3. The proposed variation is that the published admission number (PAN) of the School, which applies to admissions to the Reception Year (Year R), be reduced from 60, as determined, to 30 for 2026/27.

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 Local Authority on 12 February 2025.

6. 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 the governing body of the School has been consulted on the proposed variation. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

7. In considering the variation request, I have had regard to all relevant legislation and the Code.

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

- the referral from the Local Authority dated 9 June 2026 and supporting documents;
- the determined Arrangements and the proposed variation to those Arrangements;
- responses from the Local Authority, the Diocese, and the governing body of the School to my requests for further information;
- maps, including Google Maps and those showing the location of the School; and
- information available on the websites of .gov.uk. (including the ‘Get Information About Schools’ (GIAS) and ‘Financial Benchmarking and Insights Tool’ (FBIT) websites), the Local Authority, and the School.

9. 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.

10. I note here that the Arrangements for 2027/28 have been determined, and the PAN is set at 60. This means that if I agree to the Admission Authority's request to vary the Arrangements for 2026/27 by reducing the PAN as proposed, it will be for that year only and will not have a bearing on subsequent years.

11. In the interest of dealing speedily with this and other requests for variations for schools, 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.

Consideration of proposed variation

12. 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.

13. The Local Authority has proposed that the PAN of the School be reduced from 60 to 30 for admissions in 2026/27. The proposed variation has the support of the Diocese and the School's governing body.

14. The Local Authority told me the following reason for it seeking a variation to the PAN for the School:

"The school currently has 31 pupils allocated for the new Reception year group in September 2026. The Governing Body has asked the Council as its admission authority to reduce the published admissions number from 60 to 30 for this September 2026 due to the low pupil numbers.

The pupil numbers for the school for the new intake are greatly reduced compared to previous years. Operating two classes will cause the school financial hardship (the school already has a deficit budget,) as the pupil AWPU [Aged Weighted Pupil Unit] for 31 pupils currently allocated will not cover the costs of two teachers. The school are hoping to operate one class if pupil numbers decrease to 30 by September. The school has decided not to recruit to a maternity leave cover post but will use supply teacher if still at 31 pupils or above."

15. I have considered the latest available data 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 30 in 2026/27. 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 parental

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

16. The Local Authority has a duty to ensure that there are sufficient 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, which are geographical areas and the schools within those areas, for this purpose. The School is located in 'Harlington Cluster' (the planning area), and I have considered the data that the Local Authority has provided for that area.

17. Along with the School there are four other schools in the planning area for which the usual year of entry is Year R. The combined PAN of the planning area is 195 for Year R entry for September 2026, and the latest number of children offered a place is 149.

18. Table 1 below shows the latest data provided by the Local Authority in relation to admissions to Year R in September 2026. All of those other lower schools (as the schools for children aged four to nine years are referred to) are more than two miles away (by walking distance, or by car) from the School. The two closest schools within the planning area are fully subscribed and do not have any vacant places for Year R entry in September 2026.

Table 1: Admission Data for Year R at the Planning Area for September 2026

Schools	Distance from Silsoe CoE VC Lower School (miles)	Determined PAN for 2026/27	Allocations for Year R entry (as of 3 July 2026)
Silsoe CoE VC Lower School	NA	60	32
Greenfield CoE VC Lower School	2.8	30	30
Ramsey Manor Lower School	3.3	60	60
Westoning Lower School	4.6	30	15
Sundon Lower School	6.7	15	12

19. 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 "to provide an operating margin for local authorities. This helps to support parental choice, pupil population movement, and general manageability of the system." Although a reduction of the School's Year R places by 30 places will render a surplus of 18 vacant places for the entire planning area (about 10 per cent), these vacancies within the wide 'planning area' are not easily accessible to those living near to the School.

20. Most parents seeking a Year R place for their child for admissions in the 2026/27 would have been offered a place on National Offer Day in April. That said, if a family were to make a late or in-year application for a Year R place at the School, the School may still

provide a place now with its many vacancies. The proposed PAN reduction by 30 places will, in effect, make the School 'oversubscribed' and remove entirely an operating margin for the Local Authority in relation to the provision of Year R places for the local area in which the School is located.

21. It is therefore not possible to say that, if the PAN of the School were to be reduced to 30 for 2026/27, there would be sufficient places for any parents living close to the School and seeking a Year R place for their child for 2026/27, including those who are to make late or in-year admissions.

22. I turn now to the demand for places at the School. An additional place has been allocated to an applicant since this referral was submitted to the adjudicator on 9 June 2026. There are 32 applicants who are now allocated Year R places at the School for September 2026. In its response dated 30 June 2026 to my request for further information, the School stated:

"We currently have 32 pupils in Reception for September 2026/2027. However, one family is actively seeking an alternative setting so that their Reception-aged child can attend the same school as their siblings. In addition, another pupil who is moving into the area has requested a Reception place."

23. The Local Authority stated in its reply of 3 July 2026:

"We still have 32 children for a place at Silsoe CofE VC Lower School for Year R in September 2026 and are unaware at present of any declines or changes of preferences to process which may change this."

24. The Admission Authority is required to admit all these 32 children being in September 2026. This suggests that it is likely that the School will admit more than 30 pupils for Year R in September 2026, and that there may be a small demand for late or in-year applications. If any parents were unsuccessful in securing a place for their child at the School due to the proposed PAN reduction, their alternative would be seeking a place at another school which is, likely and undesirably, some miles away.

25. However small the possibility might be, there could be some frustration of parental preference in relation to late or in-year applicants seeking to secure a Year R place at the School, if the variation were to be agreed for 2026/27.

26. I will now consider the impact on the School of my approving, or not approving, the proposed variation.

27. The School is one affected by the provisions of the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Sizes Regulations) 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 teacher except in specific exceptional circumstances (paragraph 2.16 of the Code). The Infant Class Sizes Regulations apply to Year R, Year 1, and Year 2.

28. The School acknowledged that, in order to meet the statutory requirement under the Infant Class Sizes Regulations, it will organise all Year R pupils into two classes in 2026/27 if the actual admissions are over 30. An alternative is mixed aged classes which the School does not wish to consider for the reasons given below. It would also have two classes each for year groups from Year 1 to Year 4.

29. As schools are largely funded on the number of pupils on roll and the most expensive element of a school budget is staff, it is generally considered financially efficient to have infant classes that have 30 pupils or close to, but below, 30 pupils. If a school has classes that are many fewer than 30 (as in the case of the School), then this can mean that the income from the number of pupils is less than the costs of providing a class. If this happens over several classes, a school can have severe financial challenges.

30. It is therefore understandable why both the Local Authority and the School, supported by the Diocese, are keen to pursue the PAN reduction for 2026/27. However, I can only determine the matters now on the assumption that there has so far been no clear indication if the number of Year R pupils being admitted to the School will be dropped to 30 or below in September or some point in the future. Whether or not the variation is approved, an admission authority must not withdraw an offer unless an exception under paragraph 2.13 of the Code applies.

31. The FBIT website shows that for the financial year ending March 2025, the School had an in-year surplus of about £32,000, and a revenue reserve of £80,000. Both the Local Authority and the School have shown me budgetary information to demonstrate that maintaining 10 classes (including two Year R classes with pupils many fewer than 30) is financially unsustainable for the School.

32. In response to my request for further information, the School stated:

“Governors are deeply concerned about the impact on the school's financial sustainability should the variation not be approved. Based on current and projected pupil numbers, maintaining a PAN of 60 would require the school to operate two Reception classes for a cohort of approximately 30 pupils. This would result in an inefficient use of resources and place an unsustainable burden on the school's budget, significantly increasing the existing deficit.

The school is already implementing a workforce restructure in response to falling pupil numbers and the associated reduction in funding. Governors have carefully considered alternative options but do not believe there is any realistic or sustainable means of addressing the financial pressures if the PAN remains at 60. In their view, approval of the requested variation is essential to safeguard the school's long-term financial viability.

The Governing Body has also considered the educational implications of maintaining a higher PAN. Governors do not consider the introduction of mixed-age classes to be an appropriate or sustainable solution. Parents have chosen the school with the expectation that children will be taught in single year-group classes. A move to

mixed-age classes could adversely affect the school's attractiveness to prospective families, increasing the risk of further declining admissions and a consequential reduction in funding, thereby compounding the school's financial challenges. Governors are committed to ensuring that pupils receive the highest quality education. They believe that a single Reception class provides the most effective environment for delivering the Early Years Foundation Stage curriculum, enabling staff to focus on the specific developmental and learning needs of Reception-aged children. Maintaining a dedicated Reception class supports high-quality teaching, curriculum delivery and outcomes for pupils.

If the requested variation is approved, the school will be able to align its staffing structure with projected pupil numbers, use its resources more efficiently and continue to provide a high-quality educational experience within a financially sustainable model.

If the variation is not approved, governors believe the school will face avoidable and significant financial pressures, with an increased risk to its long-term sustainability.”

33. I have considered the competing needs of providing the school places that parents want for their children and the financial viability of the School. I am sympathetic to the financial and other consequential challenges brought to the School by the lower-than-expected number of Year R pupils.

34. The Local Authority noted in its reply to my request for further information:

“Our pupil forecasts take into account the births in the area and trends and although we have begun conversations with the school about the future published admissions number, these conversations commenced after the consultation window for 2027/28. We are therefore looking to lower the PAN for this academic year only at present. We will review admissions for 2027 next April once offers have been made and we are now considering consulting on a PAN of 30 for 2028.”

35. The Diocese’s view is as follows:

“The Diocesan Board of Education fully supports the proposed reduction of the PAN from 60 to 30, because of the financial difficulties that would result if the school had to open a second Reception class in September for only one or two pupils. It is unfortunate that there was a 31st allocation to the school before the variation application could be submitted, but the hope is that numbers in Reception will shortly return to 30, which would allow for the school to operate only a single Reception class, within the infant class size limit.”

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

- Even if the proposed variation is approved, the School would still be required to admit all the 32 children given offers for entry to Year R in September 2026.

Unless any of them changed their plan resulting in the School having 30 Year R pupils or fewer on roll, or unless one of the exceptions about 'excepted pupils' referred to in paragraph 2.16 of the Code applies, the School would unavoidably provide for more than one Year R class (or employ more than one qualified teacher) anyway. In other words, the variation would not change the fact that the School is to plan now for the number of classes and teachers on the assumption of having more than 30 pupils for Year R for September 2026 and the rest of the school year. This variation, if approved now, would not make a material difference in terms of outcome unless the number of Year R pupils for September 2026 would be dropped to 30 or below, but there is no certainty at this point in time that this is or would be the case. In addition, there is a possibility that a few children who might otherwise be admitted through late or in-year applications and whose parents in such circumstances have expressed a preference for a Year R place at the School will have that preference denied and might need to travel some distance to find an alternative.

- If the proposed variation is not approved, the School would be obliged to offer a Year R place up to the existing PAN of 60 for any applicant in 2026/27. This will provide an operating margin for the Local Authority, and helps to support parental choice and pupil population movement. I acknowledge that the School would undertake measures to economise on its resources, and that it wishes to secure its level of staffing and budget position in 2026/27 and beyond. It remains open to the Local Authority to request a lower PAN if the situation were to change for 2026/27 at any point in the school year. The Local Authority may also consider applying for a variation to the PAN for 2027/28 if the forecast data support such a request, and parents would be able to apply for places for 2027/28 in the knowledge of the reduced PAN for the School (if approved) and make their decisions accordingly. Otherwise, if a fresh referral comes after National Offer Day in April 2027, the School would hopefully still have time to make any necessary change to its staffing and class organisation to accommodate the allocated pupils for September 2027. Furthermore, the Local Authority would, by then, have been able to consult on a PAN reduction for 2028/29 following the normal procedures for making changes to admission arrangements under paragraphs 1.45 to 1.48 of the Code (see paragraph 9 above). I stress that my determination here has no bearing on any process of consultation, or on the PAN that is to be determined by the Local Authority for the School for 2028/29.

37. Taking everything into consideration, I find on balance that the variation is not justified by the circumstances and so I do not approve it. The PAN of the School for 2026/27 remains at 60 as the Local Authority determined in February 2025.

Determination

38. In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by Central Bedfordshire Council for Silsoe Church of England Voluntary Controlled Lower School for 2026/27.

39. The published admission number for admissions to the Reception Year in 2026/27 shall remain at 60.

Dated: 14 July 2026

Signed:

Schools Adjudicator: Jackie Liu