



Office of
the Schools
Adjudicator

Determination

Case reference:	VAR2805
Admission Authority:	The governing body for Holy Trinity Church of England (Aided) School
Local Authority:	Buckinghamshire County Council
Date of decision:	1 October 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 Holy Trinity Church of England (Aided) School for 2027/28.

I determine that for admissions in 2027/28 the published admission number shall be 64 and the oversubscription criteria will include, under criterion 3, priority for “Children who were on roll at Little Marlow Church of England Infant School on 1 September 2025” instead of “Children on the roll at Little Marlow Church of England Infant School on the published date for application in the year of entry”.

The referral

1. The governing body, as the admission authority for Holy Trinity Church of England (Aided) School (the School), referred to the adjudicator a proposal for a variation to the admission arrangements for the School for 2027/28 (the 2027 arrangements). This follows a previous determination in which I agreed a similar variation to the admission arrangements for 2026/27 (the 2026 arrangements).
2. The School is a voluntary aided school for children aged seven to eleven years in Marlow, Buckinghamshire. The School is designated as having a Church of England religious character and its faith body is the Diocese of Oxford. It was federated with Little Marlow Church of England School, also in Marlow and which provided for children aged four to seven years old (Little Marlow Infant School) and the two schools shared a governing body. Little Marlow Infant School was a feeder school for the School. Little Marlow Infant School closed from September 2026.
3. Marlow Infant School is a feeder school to the School, that is, it is anticipated that the pupils attending Marlow Infant School will leave at the end of year 2 and be admitted to the

School for year 3. These three schools (Marlow Infant School, Little Marlow Infant School and the School) were the only infant and junior schools in the planning area for the School. The planning area contains schools in and around the town of Marlow. All other schools provide for children from reception to eleven years, which I will refer to as primary schools for the sake of ease of reference. Another school in the planning area, St Peter's Catholic Primary School (St Peter's), also closed from September 2026.

4. The parties to the request are:

- a. the governing body;
- b. Buckinghamshire County Council (the local authority); and
- c. the Diocese of Oxford (the faith body).

5. The proposed variation is that:

- a. the published admission number (PAN) be reduced from 90 to 64 for the 2027 arrangements; and
- b. the oversubscription criteria for the School to be amended to give priority to children who were attending Little Marlow Infant School on 1 September 2025.

6. In the interest of dealing speedily with this and other cases, 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.

Jurisdiction and procedure

7. 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”.

8. The arrangements for the School were determined by the governing body on 27 January 2026. The governing body has provided 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.

9. In considering the variation request, I have had regard to all relevant legislation and the Code. The information I have considered in reaching my decision includes:

- a) the referral from the governing body dated 9 September 2026 and supporting documents;
- b) the determined 2027 arrangements and the proposed variation to those arrangements;
- c) information provided for my previous determination concerning the 2026 arrangements in which I agreed a similar variation (case reference: VAR2730);
- d) responses from the parties to my requests for further information; and
- e) a map showing the School and other schools in the planning area for the School.

10. 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.

11. I note here that the arrangements for 2028/29 have not been determined. This means that if I agree to the governing body's request to vary the 2027 arrangements as proposed, it will set a 'baseline' for subsequent years. The governing body has said that it intends to consult on the arrangements for 2028/29.

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. I will first consider the request to reduce the PAN from 90 to 64. The governing body has proposed that the PAN is reduced to 64 to reflect reduced demand and to allow efficient use of resources. The School has had three classes per year group and states that the numbers now only warrant two classes per year group. I will consider if such a reduction is justified in light of demand for school places in the area and parental preference.

14. 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 year of entry for the School is year 3 and it is the only school in the planning area for which this is the case. Similarly, from September 2026, Marlow Infant School is now the one school that only provides education until the end of year 2.

15. As explained above, another school (St Peter's) in the planning area closed at the end of August 2026. These are significant changes that reflect falling demand locally. In 2025, the sum of the PANs for the schools in the planning area that admit to reception was 285 with 235 children admitted. For 2026, the sum of the PANs for the schools in the planning area which admit to reception was 240 and 217 children were allocated places. These figures are evidence that demand for the School, which admits children to year 3, will reduce as these children progress to year 3.

16. The parents of children attending an infant school can apply for a place in year 3 at a primary school, which would be an in year admission, or a junior school. Broadly most children will go on to a junior school from an infant school. Table 1 illustrates the trend in pupil numbers for the School.

Table 1: data on admissions to the School for year 3

	2024	2025	2026
School's PAN	90	90	64
Number of first preferences	78	75	64
Number of children admitted	79	78	61
Vacant places	11	12	3

17. The School is not one subject to the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Size Regulations) which largely limit class sizes for infant children to 30. However, for educational reasons few schools wish to have classes that are significantly more than 30.

18. Schools are largely funded on the basis of pupil numbers. The costs of providing a small class can be higher than the income derived from the pupils. In other words, if a class has around 23 pupils, for example, then the costs of providing the class may be higher than the income. This can lead to financial deficit over time if not addressed.

19. In terms of future numbers, in the knowledge that most pupils at Marlow Infant School transfer to the School for year 3 and few other children will be seeking a place at that point, the numbers of pupils at Marlow Infant School are significant. The pupil numbers at Marlow Infant School are, as provided by the local authority on 17 September 2026:

“Reception – 60
Year 1 – 54
Year 2 – 46”.

20. This shows that it is unlikely that there will be demand for more than 60 places at the School in the near future. The pupil numbers and current class structure at the School are shown in table 2 below.

Table 2: current pupil numbers and class structure at the School

Year	Class 1	Class 2	Class 3	Total in Year	PAN
Year 3	32	32	N/A	64	64
Year 4	29	30	30	89	90
Year 5	30	30	30	90	90
Year 6	30	30	30	90	90

21. Table 2 shows the swift reduction in numbers that took place in 2026.

22. The local authority also said:

“The variation has the LA’s full support. The number of children in Marlow has fallen dramatically in recent years, with falling birth rates and fewer families moving into the town, hence the fact that two schools in the town closed or partially closed last year. Following the closure of Little Marlow CE School, Marlow CE Infant School is the only infant school in the area, and only 60 places are required at Holy Trinity to ensure all the children in the feeder school can be offered a Key Stage Two place. The Governing Body of Holy Trinity has agreed to our request to establish a PAN of 64, which gives us 4 additional places at Key Stage Two to offer to any families moving into the area. If the variation is agreed, we expect it to have no impact on our duty to provide a sufficiency of places”.

23. The evidence of demand is that there would be no need for the School to provide three classes for year 3 in 2027/28. However, if the PAN were to remain at 90 then the governing body would have to admit any child for whom a place was requested until 90 places were offered. For example, if six children were to wish to join the School in the 2027/28 academic year, and 64 children had been admitted already, there would be 70 pupils. Two classes would be 35 pupils to a class, which is too many, by most standards. Three classes would be around 23 or 24 to a class which is likely to have a detrimental impact on the School’s finances.

24. The governing body has provided figures showing that in three years the School would have a financial deficit with two classes, but it has time to find ways to address that. Running three classes on the numbers anticipated for year 3 in September 2027 would lead to a significant deficit which would be hard to address.

25. The local authority and the faith body have both expressed their support for the reduction in the PAN to 64. I have taken into account demand for school places at the School and in the area and find that the rationale for a PAN of 64 is sound and justified by the circumstances. I agree that the PAN can be 64 for 2027/28.

26. The governing body also wishes to amend the oversubscription criteria in light of the closure of Little Marlow Infant School from September 2026. The third oversubscription criterion in the 2027 arrangements is

“Children on the roll at Little Marlow Church of England Infant School on the published date for application in the year of entry

Children on the roll at Marlow Church of England Infant School on the published date for application in the year of entry.”

27. The governing body wish to amend this to read:

“Children who were on roll at Little Marlow Church of England Infant School on 1 September 2025 and

Children on the roll at Marlow Church of England Infant School on the published date for application in the year of entry.”

28. When considering my previous determination of the School, I asked the governing body to explain why it had requested this amendment to criterion 3 and I was provided with minutes of the meeting of the governing body on 16 December 2025. These explain that parents had moved their children from Little Marlow Infant School because that school was closing but some still wanted their children to join the School for year 3. In light of the particular circumstances, the governing body wanted to give these parents, whose children had attended Little Marlow Infant School previously, assurance that their children would still have a high priority for the School in the oversubscription criteria.

29. The local authority also supports this part of the variation and said:

“We have no objection to the Governing Body’s proposal to offer a higher priority to children previously attending Little Marlow CE; we know the closure of the school was highly disruptive and upsetting for families and this was something requested by families who were unable to secure a place at Marlow CE Infant but still wanted to have the option of joining Holy Trinity at Year 3.”

30. I agree that this change is justified by the circumstances. I therefore agree both elements of the variation.

Determination

31. 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 Holy Trinity Church of England (Aided) School for 2027/28.

32. I determine that for admissions in 2027/28 the published admission number shall be 64 and the oversubscription criteria will include, under criterion 3, priority for “Children who were on roll at Little Marlow Church of England Infant School on 1 September 2025” instead of “Children on the roll at Little Marlow Church of England Infant School on the published date for application in the year of entry”.

Dated: 1 October 2026

Signed:

Schools Adjudicator: Deborah Pritchard