



Office of
the Schools
Adjudicator

Determination

Case reference:	VAR2809
Admission Authority:	The governing body for St Giles' Church of England (Aided) Infant School
Local Authority:	Surrey County Council
Date of decision:	13 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 St Giles' Church of England (Aided) Infant School for 2027/28.

I determine that for admission in 2027/28 the published admission number will be 15.

The referral

1. The governing body for St Giles' Church of England (Aided) Infant School (the School) is also the admission authority for the School and has referred to the adjudicator a proposal for a variation to the admission arrangements for the School for 2027/28 (the 2027 arrangements).
2. The School is a voluntary aided school for children aged between five and seven years. It is therefore known as an infant school. The School is located in Ashted in Surrey and is designated as having a Church of England religious character.
3. The parties to the variation request are:
 - a. The governing body;
 - b. Surrey County Council as the local authority for the area in which the School is located (the local authority); and
 - c. The Diocese of Guildford as the faith body for the School (the faith body).
4. The proposed variation is that the published admission number (PAN) for the School is reduced from 30 to 15. There is a statutory process in progress to change the School

from an infant school to a school that includes the whole primary age range (a primary school). In other words, the School currently provides for children aged between five and seven years who are in the foundation stage and key stage 1; and the statutory proposal is to increase the number of year groups incrementally until children leave the School aged 11 at the end of key stage 2. There are no junior schools in the immediate area and so pupils leaving the School at the end of key stage 1 currently have to make an in year application to join a primary school for year 3.

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 2027 arrangements were determined by the governing body on 13 January 2026. The governing body has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code.

7. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

8. In the interest of dealing speedily with this case, I have not considered other aspects of the 2027 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.

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 17 August 2026 and supporting documents, including information on the consultation which took place as part of the statutory process for extending the age range;

- b) the determined 2027 arrangements and the proposed variation to those arrangements;
- c) responses from the governing body, the local authority and the faith body to requests for further information; and
- d) 'Find schools and colleges to compare in England', which is a government website (the DfE website).

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. In this instance, however, due to the School extending its age range, consultation has taken place as required for the statutory process. This has included detailed information being provided to those with an interest and a public meeting.

12. The arrangements for 2028/29 have not yet been determined. This means that if I decide to approve the proposed variation to the 2027 arrangements, it will have the effect of forming the 'baseline' for 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 variation is justified by the change in circumstances.

14. The request form said:

"St Giles' CofE (Aided) Infant School is seeking a variation to its admission arrangements to reduce its Published Admission Number (PAN) from 30 to 15 from September 2027, alongside the extension of its age range to become an all-through primary school. The school currently has pupils in year groups from Reception to Year 2. This variation request is to extend the school age range to become St Giles' C of E (Aided) Primary School from 1 September 2027. The school would grow incrementally so that by September 2030 it would have pupils in all year groups from Reception to Year 6 (potential NoR (number on roll) of 105, up by 15 pupils on today's potential NoR of 90)."

15. The request form also explained that the number of children requiring a reception place has reduced in recent years, particularly in the area of the School. In addition, the request form said that the requirement to seek admission to a primary school for year 3 and beyond can discourage applications for the School.

16. The local authority is the decision maker regarding the statutory proposal to increase the School's age range. The statutory proposal is not practical, due to the constraints of the School's buildings, unless the PAN is reduced as proposed in the variation. The local authority plans to make its decision on 27 October 2026. As the rationale for the variation is closely related to the change in age range for the School, the two decisions (the PAN reduction and the proposal to extend the age range) are interdependent.

17. It is possible, however, for the PAN to be reduced as proposed, if this does not cause a lack of places in the area or significantly frustrate parental preference, without the statutory proposal first being agreed. In other words, the PAN reduction is not dependent upon the statutory proposal being agreed.

18. I will first consider demand for places in the area and then at the School. 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 in a planning area with five other schools which admit children to reception year.

19. Table 1 shows information on admissions to the schools in the planning area which admit children to reception year

Table 1: admissions to reception year in the schools in the planning area

	2024	2025	2026	2027
Sum of PANs for the schools in the planning area	292	292	292	292
Number of first preferences	238	248	219	N/A
Number of children on roll at the time of the relevant January census (2024 and 2025), offered a place for September 2026 and forecast to require a place for 2027/28	231	239	227	231 forecast
Number of vacant places	61	53	65	61 forecast

20. The number of school places on offer and the number of children admitted has remained largely stable since 2024 and so the proportion of vacant places has remained similar. However, the 61 vacant school places forecast for admissions in 2027 would be over 20 per cent of the sum of the PANs, which is a high proportion. If the PAN for the School were to be reduced by 15 places, as proposed, the sum of the PANs would be 277. The number of vacant places would also reduce by 15 to 46. This would be over 16 per cent of the whole, still a high proportion. I am therefore assured that if the PAN for the School were reduced as proposed, there would be sufficient school places for reception year in the planning area. I also note that the DfE website shows three other primary

schools which admit children to reception year within one mile of the School and another five such schools within two miles.

21. The School is one subject to 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 school teacher except in specific exceptional circumstances. The Infant Class Sizes Regulations apply to reception year, year 1 and year 2, which in this instance is the whole school.

22. Table 2 shows information on recent admissions to the School.

Table 2: recent admissions to the School

	2024	2025	2026	2027
The School's PAN	30	30	30	30
Number of first preferences	18	18	9	N/A
Number of children on roll at the time of the relevant January census (2024 and 2025), offered a place for September 2026 and forecast to require a place for 2027/28	19	17	9	14 forecast
Number of vacant places	11	13	21	16

23. Table 2 shows reducing numbers admitted to reception year. Nine children were admitted to reception year in September 2026 and 14 are forecast to be admitted in September 2027. These numbers are below the proposed PAN of 15. There appears to be only a small likelihood of frustrating parental preference if the PAN were reduced to 15.

24. The School currently has a total of 44 pupils, with 18 each in years 1 and 2 and eight in reception year. The faith body said:

"It is our view that the governing body and headteacher of the school ha[ve] acted responsibly in exploring the different options available for the school in the light of the falling birth rate and that the proposed changes are the best option which allows the school to continue to provide the high quality education to children and families living in the Ashted area. For this reason, the [faith body] is happy to confirm its support for these proposals."

25. The local authority said that the consultation showed:

"there was strong support for the proposal to extend the age range of St Giles' C of E Infant School and enable it to operate as an all-through primary school. Surrey County Council supports the proposal and has progressed it through the required statutory process."

26. The evidence supports the view that the variation is essential to the plan to extend the age range of the School and that that change is fundamental to the future health of the School and those it educates. There is minimal evidence of risk to parental preference. I therefore agree the proposed variation. If the statutory proposal is not agreed, it remains open to the governing body to admit above the PAN of 15 if there is sufficient demand, and it may increase the PAN in years for which admission arrangements have not yet been determined without any requirement for consultation.

Determination

27. 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 St Giles' Church of England (Aided) Infant School for 2027/28.

28. I determine that for admission in 2027/28 the published admission number will be 15.

Dated: 13 October 2026

Signed:

Schools Adjudicator: Deborah Pritchard