



Office of
the Schools
Adjudicator

Determination

Case references: VAR2308 and VAR2309

Admission authority: London Borough of Havering for Crownfield Infant School, Romford

Date of decision: 10 March 2023

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 the London Borough of Havering for Crownfield Infant School, Romford, for September 2023 and September 2024.

I determine that the published admission number in each of September 2023 and September 2024 will be 90.

The referral

1. The London Borough of Havering (the local authority) has referred proposals for variations to the admission arrangements for September 2023 and September 2024 (the arrangements) for Crownfield Infant School (the school) to the adjudicator. The school is a community school for children aged three to seven in Romford, Essex.
2. The proposed variations are that the published admission number (PAN) for September 2023 and September 2024 be reduced from 120 to 90.

Jurisdiction and procedure

3. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which deals with variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (in so far as 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”.

4. The local authority has provided me with confirmation that the appropriate bodies have been notified and I have seen confirmation that the school’s governing board has been consulted on the proposed variations. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variations are within my jurisdiction.
5. In considering this matter I have had regard to all relevant legislation and the Code.
6. The information I have considered in reaching my decision includes:
 - a. the referral from the local authority dated 16 February 2023, supporting documents and further information provided at my request;
 - b. the determined arrangements for 2023 and 2024, and the proposed variations to those arrangements;
 - c. comments on the proposed variations from the school and the local authority;
 - d. a map showing the location of the school and other relevant schools;
 - e. information available on the websites of the local authority, the school and the Department for Education; and
 - f. Adjudicator determination VAR2142 dated 8 June 2021.

The proposed variations

7. The proposed variations are to reduce the PAN for the school from 120 to 90 for the years beginning September 2023 and September 2024.
8. 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 variations requested are justified by the change in circumstances.

Consideration of proposed variations

9. The major change in circumstances relied upon by the local authority is a reduction in the expected demand for places at the school. I have considered the demand for places at the school, the effect of the current PAN, the potential effects of a reduction in the PAN for the years in question and whether such a reduction is justified in the circumstances.

Demand for places at the school

10. The local authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty, the local authority assesses the likely number of places to be needed and it then plans accordingly. The local authority uses planning areas, which are geographical groups of schools, for this purpose. The school is one of seven schools admitting children to reception year (YR) in the Collier Row planning area (the planning area).

11. Table 1 below summarises the PANs of the schools in the planning area, along with the number of places offered in recent years and the projected demand in the next two years. As I go on to explain, it is important to note that the demand projected for 2023 has now fallen from the levels shown below.

	2020	2021	2022	2023	2024
	Offers (PAN)	Offers (PAN)	Offers (PAN)	Projected demand (PAN)	Projected demand (PAN)
Clockhouse Primary	90 (90)	90 (90)	90 (90)	90 (90)	90 (90)
Crownfield Infant	115 (120)	82 (90)	100 (120)	100 (120)	95 (120)
Dame Tipping Primary	15 (15)	15 (15)	13 (15)	13 (15)	13 (15)
Oasis Academy Pinewood	38 (45)	57 (60)	46 (60)	45 (60)	43 (60)
Parklands Primary	116 (120)	120 (120)	106 (120)	93 (120)	105 (120)
Rise Park Infant	80 (90)	90 (90)	73 (90)	88 (90)	48 (90)

St Patrick's Catholic Primary	53 (60)	39 (60)	55 (60)	55 (60)	48 (60)
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12. Table 2 below summarises these totals for the planning area as a whole and the associated vacancy rates.

	2020	2021	2022	2023	2024
Sum of PANs	540	525	555	555	555
Number of children offered a place	507	493	483	484	478
Number of vacant places	33	32	72	71	77
Number of vacant places as a percentage	6 per cent	6 per cent	13 per cent	13 per cent	14 per cent

13. Table 1 shows that there was a gradual reduction in demand for YR places at the school between 2020 and 2022, from 115 to 100. It also shows that the local authority has projected that trend to continue in 2023 and 2024, with demand in those years at 100 and 95 respectively.

14. Table 2 shows a gradual downward trend in demand for YR places in the planning area as a whole, over the five-year period 2020 to 2024. The increase in the number and proportion of vacant places in 2022 appears to be partly due to the increase in the overall PAN from 525 places to 555 places, because the school's own PAN was increased from 90 to 120 that year.

15. The local authority has explained that, for September 2023, its projected demand for the school, at 100, has turned out to have been an over-estimate. The school remains undersubscribed on first preferences, having received only 93. The local authority has confirmed that only one school in the planning area is oversubscribed for September 2023. Therefore, it considers that it is unlikely that many lower preferences will be offered for the school. Evidence indicating support for this assumption is that when offers were made for entry in September 2022, only three lower preferences were offered places at the school.

The effect of the current PAN

16. The local authority has explained that if the school were to admit just over 90 YR pupils in each of September 2023 and September 2024, as appears is the likely demand, the school would be carrying a large surplus of places and that would place a severe financial burden on the school.

17. The school has stated that the admission of more than 90 YR pupils would require the running of four YR classes, each requiring a qualified teacher. The School Admissions (Infant Class Size) (England) Regulations 2012 require that infant classes must not contain more than 30 pupils with a single qualified school teacher except in specific circumstances. Given that school funding is largely based on a per pupil basis, and the infant class size regulations apply to this school, the school considers the most financially stable model of class organisation is to teach children in classes of 30 or just under. It considers classes of significantly fewer children than 30 to be financially unviable. The school has considered the option of mixed year group classes as a means of addressing this issue, but has commented that they are “certainly not ideal”.

The potential implications of a PAN reduction from 120 to 90

18. If the sum of the PANs in the planning area were to be reduced by 30 (from 555 to 525) because I agreed the proposed variations, then there would still be 41 vacant places across the planning area available in 2023, and 47 in 2024. On that basis, I am satisfied that the reduction would not hamper the local authority in meeting its duty to make sure that there are sufficient places for the children in its area. This appears to be borne out when looking at the effect that the PAN reduction would have on those specific applicants who would have been offered a place at the school if the PAN were to remain at 120, but who would not be offered a place at the school if the PAN were to be reduced to 90.

19. The local authority has indicated that the school has received 93 first preferences for September 2023. This means that if I were to agree the proposed variation, the first preferences of three applicants would be frustrated. The local authority has provided the following data in relation to the school applications of those three applicants:

Applicant	Distance from the school (metres)	If offered lower preference, school name	Distance from lower preference school (metres)	If allocated a place by the local authority, school name	Distance from local authority allocated place (metres)
Applicant 1	2307	Preference 2 – Concordia Academy	941	Crowlands Primary School	234

Applicant 2	1898	Preference 2 – Rise Park Infant	1633	Oasis Academy Pinewood	240
Applicant 3	1885	Preference 3 – Harold Wood Primary	5563	Oasis Academy Pinewood	292

20. I note that Applicants 1 and 2 would be allocated a place at their second preference school, each of which is a shorter distance from the respective home address than is the school. I note that Applicant 3 would be allocated their third preference school, which is a significant distance from their home address (5563 metres). However, the local authority could alternatively offer Applicant 3 a place at Oasis Academy Pinewood which is located 292 metres from their home address. On the basis of this information, I am satisfied that those applicants whose first preferences would be frustrated by a PAN reduction at the school in September 2023, could be offered places at other schools that would be within an acceptable travelling distance of their home address.

Is the proposed PAN reduction justified in the circumstances?

21. Having taken into account the declining demand for YR places at the school and across the planning area as a whole, alongside evidence that the three applicants whose first preferences would be frustrated for September 2023 could be allocated school places at alternative schools within an acceptable travelling distance, I am satisfied that the proposed PAN reduction for 2023 and 2024 is justified by the major change of circumstances highlighted by the local authority.

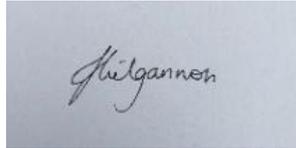
22. I therefore approve the request for variations to the arrangements for the school for 2023 and 2024, reducing the PAN in each case from 120 to 90.

Determination

23. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Havering for Crownfield Infant School, Romford, for September 2023 and September 2024.

24. I determine that for the years beginning September 2023 and September 2024 the published admission number will be 90.

Dated: 10 March 2023

A rectangular box containing a handwritten signature in cursive script that reads "Kilgannon".

Signed:

Schools adjudicator: Jane Kilgannon