



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR 669

Admission Authority: Metropolitan Borough of Sefton for Kew Woods Primary School, Southport.

Date of decision: 8 September 2015

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the Metropolitan Borough of Sefton for Kew Woods Primary School.

I determine that for admissions in September 2016 the published admission number shall be 60.

The referral

1. The Metropolitan Borough of Sefton, the local authority, has referred a variation to the Adjudicator about the admission arrangements for Kew Woods Primary School (the school), a community primary school for pupils aged 4 - 11 years for September 2016. The variation requested is to reduce the published admission number (PAN) from 75 to 60. An increase in the PAN from 60 to 75 was consulted upon and determined for 2016 but in the view of the local authority those additional places are no longer required.

Jurisdiction

2. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which states that:

“where an admission authority (a) have in accordance with section 88C determined the admission arrangements which are to apply for a particular school year, but (b) at any time before the end of that year consider that the arrangements should be varied in view of a major change in circumstances occurring since they were so determined, the authority must [except in a case where the authority’s proposed variations fall within any description of variations prescribed for the purposes of this section] (a) refer their proposed variations to the adjudicator, and (b) notify the appropriate bodies of the proposed variations”.

I am satisfied that the proposed variation is within my jurisdiction.

Procedure

3. In considering this matter I have had regard to all relevant legislation and the School Admissions Code.

4. The documents I have considered in reaching my decision include:

- a. the local authority's form of referral of 20 July 2015 and supporting documents;
- b. the determined arrangements for 2016/2017 and the proposed variation to those arrangements;
- c. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2015 and September 2016;
- d. a copy of the letter notifying the appropriate bodies about the proposed variation; and
- e. a map of the area.

Background and consideration of factors

5. The school is in the central area of Southport in Sefton where data gathered by the local authority in 2013 indicated there would be insufficient pupil places by 2020. The local authority developed initial schemes for two schools in the area, of which Kew Woods was one, to increase capacity by 75 places. The plan was to increase the other school from a one form of entry to a three form of entry and increase Kew Woods by a half form of entry that is a PAN of 75 rather than 60. This increase in the PAN was determined by the local authority when it determined its admission arrangements in April 2015

6. More recent data have shown an unexpected downturn in the number of projected pupils and that the *"projected number of pupils reduces sharply in 2020-2022"*. The local authority's current projections show that the planned increases at the two schools may potentially give rise to surplus places in excess of 12% which, it reports, has implications for other schools in the area. The local authority therefore proposes to defer increasing the capacity at Kew Woods until the demand for places warrants the creation of places and intends to review the position annually. The local authority confirms that it will have sufficient school places if the PAN at the school is reduced.

7. The documents show that the school supports this request as the head teacher was concerned about *"the school organisation and split classroom system associated with a 2.5FE school. Also, she would prefer waiting until the possibility of increasing by a full 1FE"*. The local authority has provided evidence that it notified appropriately the other parties required.

8. It is the responsibility of the local authority to ensure that there are sufficient school places. The Education Act 1996, s 14(2) places a duty on a council to *secure sufficient schools for providing (a) primary education and (b) secondary education and that those schools are available for their area. (Sufficient means sufficient in number, character and equipment to provide the opportunities for appropriate education for the pupils.)*

9. The local authority, as part of its planning for sufficient pupils places determined to increase the capacity of the school, however its most recent data show that this is not necessary for September 2016 and that to proceed with this increase may affect the viability of other schools.

10. The local authority, as the admission authority and responsible for the provision of school places, wants to plan sensibly to use its resources to provide places in the areas required and not to create surplus places. It no longer needs the planned increase in the number of places at the school. I find that the appropriate procedures were followed and the relevant parties notified. I am satisfied that the proposed variation addresses the change in circumstances described.

Conclusion

11. I consider that the local authority properly set admission arrangements with a PAN of 75 before the information about the reduction in demand for places was known. As the data show that the places will not be needed for September 2016, I approve the requested variation to reduce the PAN to 60 for the reasons set out in the determination above.

Determination

12. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the Metropolitan Borough of Sefton for Kew Woods Primary School.

13. I determine that for admissions in September 2016 the published admission number shall be 60.

Dated: 8 September 2015

Signed:

Schools Adjudicator: Miss Jill Pullen