



## DETERMINATION

**Case reference:** VAR742

**Admission Authority:** East Sussex County Council for Iford and Kingston Church of England Primary School

**Date of decision:** 4 January 2018

### Determination

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by East Sussex County Council for Iford and Kingston Church of England Primary School, East Sussex.**

**I determine that for admissions in September 2018 the school's community area shall increase to include the area previously occupied by the community area for Rodmell Church of England Primary School.**

### The referral

1. East Sussex County Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements for Iford and Kingston Church of England Primary School (the school) in East Sussex. The variation requested is that from 1 September 2018 the school's community area should be increased to include the area previously occupied by the community area for Rodmell Church of England Primary School which will close on 31 August 2018.

### 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*".
3. I am satisfied that the proposed variation is within my jurisdiction.

## **Procedure**

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).
5. The documents I have considered in reaching my decision include:
  - a. the local authority's letter of referral of 8 November 2017 and supporting documents;
  - b. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2018;
  - c. a map of the school's proposed enlarged community area provided by the local authority;
  - d. a copy of the letter notifying the appropriate bodies about the proposed variation; and
  - e. evidence that the local authority had consulted the governing board of the school and the diocese before making the variation request; and

## **Background and consideration of factors**

6. The school is a voluntary controlled Church of England primary school in Kingston near Lewes, with a published admission number of 30.
7. The proposed variation is to enlarge the school's community area to encompass the community area currently served by Rodmell Church of England Primary School (the Rodmell community area). Rodmell Church of England Primary School is due to close on 31 August 2018. The local authority provided me with a map of the proposed enlarged community area which includes the adjacent Rodmell community area. The term "community area" has the same meaning as the term "catchment area" in the Code.
8. The major change in circumstances is that the final decision to close Rodmell Church of England Primary School was taken in November 2017, after the local authority had determined the 2018 admission arrangements for its voluntary controlled and community schools in February 2017.
9. The local authority considers that, as Iford and Kingston Church of England Primary School is the next nearest school, and has recently been expanded, it would be sensible for the Rodmell community area to be included in the school's community area for admissions in September 2018. The school's enlarged community area would allow children living in the Rodmell area to have a high priority for admission to it.
10. The local authority said that Rodmell Church of England Primary School will close on the proposed closure date whether or not the variation is agreed, and that there are no implications for any other local school. The local authority confirmed that the Rodmell community area does not have a large population

and that many (if not most) of its primary-aged children already attend Iford and Kingston Church of England Primary School.

11. The local authority had consulted the governing board of the school and the diocese before making the variation request, and I have seen evidence which shows that both the school and the diocese support the proposed variation.
12. The local authority notified all the relevant bodies of the proposed variation on 30 November 2017 and it confirmed on 20 December 2017 that there had been no responses. I am satisfied that all relevant bodies were notified and that there were no responses to be taken into account. I find that the local authority has, therefore, complied with the required procedure.

### **Conclusion**

13. The school's community area is adjacent to the community area for Rodmell Church of England Primary School. The local authority has decided to close Rodmell Church of England Primary School on 31 August 2018, and wishes to incorporate the Rodmell community area into the school's community area so that children living in the former Rodmell community area will have a high priority for admission to the school from 1 September 2018.
14. I conclude that the proposed variation to enlarge the community area of Iford and Kingston Church of England Primary School with effect from 1 September 2018 is necessary to ensure that children living in the former Rodmell community area will not be disadvantaged when applying for admission to the school.

### **Determination**

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by East Sussex County Council for Iford and Kingston Church of England Primary School, East Sussex.
16. I determine that for admissions in September 2018 the school's community area shall increase to include the area previously occupied by the community area for Rodmell Church of England Primary School.

Dated: 4 January 2018

Signed:

Schools Adjudicator: Ms Cecilia Galloway