



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR746

Admission Authority: The London Borough of Croydon for Monks Orchard School, Croydon

Date of decision: 19 January 2018

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 London Borough of Croydon for Monks Orchard School, Croydon for September 2017 and September 2018.

I determine that the published admission number will be reduced to 60 from 90 for both September 2017 and September 2018.

The referral

1. The London Borough of Croydon (the local authority) has referred a proposal for variations to the admission arrangements for Monks Orchard School (the school), for September 2017 and September 2018 to the Office of the Schools Adjudicator. The school is a community primary and nursery school for children aged 3 to 11 in Croydon.
2. The proposed variations are to reduce the published admission number (PAN) from 60 to 90 for both September 2017 and September 2018.

Jurisdiction

3. 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”.

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

Procedure

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

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

- the local authority's referral received on 4 January 2018 and supporting documents;
- the determined arrangements for 2017 and 2018 and the proposed variation to those arrangements;
- a copy of the information provided by the local authority for parents seeking admission to schools in the area;
- minutes of the board of governors of the school concerning the proposals;
- a copy of communications with the appropriate bodies about the proposed variation;
- the net capacity assessment of the school; and
- papers setting out the school place planning issues in the area for the next three academic years.

Background to the proposed variation

7. The school is on the eastern boundary of the local authority area. The Department for Education's database "Get Information about Schools" (GIAS) identifies 37 primary schools within 2 miles of the school's address.

8. The capacity of the school was increased in September 2012 allowing the PAN to rise from 60 to 90. There are currently 573 pupils on roll and the capacity is 622. The table below shows that the school has not been fully subscribed since 2015 and the number of first preferences has been less than the number of places available in each of the last four years.

| Year | First preferences | Places allocated |
|------|-------------------|------------------|
| 2014 | 73 | 90 |
| 2015 | 74 | 90 |
| 2016 | 72 | 78 |
| 2017 | 49 | 51 |

9. Correspondence between the board of governors and the local authority together with minutes of the governing board show concern that the determined PAN of 90 for 2017 could result in the school having to admit more than 60 pupils into Year R if families move into the area or change schools. The school has argued that, to meet infant class size legislation, this would require another class to be established and doing so would have a detrimental affect on the school budget. A similar situation is anticipated for September 2018.

Consideration of Factors

10. Infant class size legislation applies to Years R, 1, and 2 as a whole and not to individual year groups. It is therefore possible, and common, for schools to meet these requirements through mixing age groups. With five classes established for Years R and Year 1 and a combined total of 129 children in these two year groups it could be argued that currently a further 21 children would need to join the school in Years R and 1 together before another infant class needed to be established rather than just 9 joining Year R. This option does not appear to have been considered in the correspondence between the school and local authority which I have seen.

11. Such an approach would require changes to curriculum planning in the school and there are follow on implications for the organisation of Key Stage 2 in future years. It is therefore understandable that the simpler option of reducing the PAN to restrict admissions has been proposed first. The proposals would mean that the school would not face the risk of needing to either introduce mixed age teaching or establish more than two classes in the current or next Year R.

12. For 2017 the local authority provided me with data about 47 primary schools which it identified as being within 3 miles of the school. Of these, 17 are noted as having fewer pupils in Year R than the PAN with a total of 107 places not being filled. Together with the nine places available at this school there would appear to be sufficient places to accommodate children from families moving into the area, or those who may want to change school. I am therefore satisfied that reducing the PAN for September 2017 from 90 to 60 will not compromise the provision of places in the area. It is also clear from the table above that all first preferences for this school have been met in the current year. No local schools have objected to this proposal and I can see no likely adverse affect on them.

13. Looking forward to 2018, the local authority does not forecast individual primary school rolls, but provides a forecast for six planning areas. It has provided me with the following data for the eastern planning area in which the school is situated. The table assumes that the proposed reduction in PAN for 2018 has been approved, but continues as 90 in subsequent years. The figure of five percent surplus in 2021/22 appears to me to be a misprint, with the actual figure being 15 percent, however that figure is not relevant to my considerations for 2017 or 2018.

| Academic year | Available places (Year R) | Forecast (Year R) | Surplus/Deficit | FE | % |
|---------------|---------------------------|-------------------|-----------------|----|----|
| 2018/19 | 1590 | 1376 | 214 | 7 | 13 |
| 2019/20 | 1620 | 1371 | 249 | 8 | 15 |
| 2020/21 | 1620 | 1387 | 233 | 8 | 14 |
| 2021/22 | 1620 | 1385 | 235 | 8 | 5 |

14. If this proposal is approved, there would be a 13 per cent surplus of places in the area in September 2018 which is more than the five to ten per cent usually considered necessary to meet local demand and to satisfy a high degree of parental preference. Considering these figures, I am satisfied that reducing the PAN from 90 to 60 will not compromise the provision of places in the area in September 2018 and that the affect on the level of parental preference it is possible to meet will be negligible. No local schools have objected to this proposal and I can see no likely adverse affect on them arising from it.

Conclusion

15. I have considered whether the proposed variations would address the risk that the school would be required to establish another infant class with the consequent adverse impact on its budget. It is clear that the proposed variations would address this risk. I have also considered the provision of school places in the area, the current pattern of parental preferences and any possible impact on other schools. I am satisfied that the proposed variation will not have any adverse affect on these and therefore I approve the proposed variations.

Determination

16. 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 London Borough of Croydon for Monks Orchard School, Croydon for September 2017 and September 2018.

17. I determine that the published admission number will be reduced to 60 from 90 for both September 2017 and September 2018.

Dated: 19 January 2018

Signed:

Schools Adjudicator: Phil Whiffing