



Office of
the Schools
Adjudicator

DETERMINATION - Variation

Case reference: VAR744

Admission Authority: Hampshire County Council for Park View
Primary School, Basingstoke

Date of decision: 24 January 2018

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 Hampshire County Council for Park View Primary School, Basingstoke, which was previously known as Park View Junior School, for September 2017 and September 2018.

I determine that the variations to the admission arrangements for Park View Primary School shall have effect for the remainder of the 2017/2018 academic year and for September 2018 and that the published admission number (PAN) for both of these years shall be 60.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for variations to the admission arrangements (the arrangements) for Park View Primary School (the school), previously known as Park View Junior School, for September 2017 and September 2018 to the Office of the Schools Adjudicator. The school is a community school for children aged 3 to 11 in Basingstoke.
2. The proposed variations arise from the closure of Park View Infant School and the extension of the age range of the Park View Junior School from 7 to 11 to 3 to 11, with effect from 1 January 2018. This process is commonly known as “amalgamating” two schools. The local authority has proposed that the arrangements for Park View Junior School (now known as Park View Primary School, as it is an all-through primary school) should be those previously determined for Park View Infant School, both for the remainder of the 2017/2018 academic year and for admissions in September 2018. It has also proposed that the PAN for both years should be 60.

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 dated 6 December 2017 and supporting documents;
 - the determined arrangements for September 2017 and September 2018 and the proposed variations to those arrangements;
 - a copy of the council’s booklet for parents seeking admission to schools in the area in September 2018;
 - a copy of the letter notifying the appropriate bodies about the proposed variations; and
 - evidence that the local authority had consulted representatives of Park View Infant School and Park View Junior School before making the variation requests.

The proposed variations

7. Park View Infant School (the infant school) was inspected by OfSTED in May 2017 and found to require special measures. Following discussions with the Regional Schools Commissioner, the local authority decided that the best option to improve standards was that the school should close and that Park View Junior School (the junior school) should extend its age range, thereby including the pupils of the

infant school within an all-through primary school on the site shared by the two schools. In accordance with statutory procedures, these changes were approved by the local authority's Executive Member for Education on 8 November 2017 and were implemented on 1 January 2018.

8. It is necessary for the admission arrangements for the junior school to be varied as it is now a primary school. Its normal year of entry is the reception year, rather than year three. The local authority has proposed that it should adopt the arrangements previously determined for the infant school and that its PAN both for the remainder of the 2017/18 academic year and for admissions in September 2018 should be 60. The governing body supports the proposal. None of the relevant bodies and schools notified of the proposal has made any comment.
9. The PAN originally determined for both the infant school and the junior school for September 2017 and September 2018 was 90. In August 2017, the local authority referred a proposal to the Office of the Schools Adjudicator for a variation in the PAN of the infant school from 90 to 60. The reason for the proposal was that fewer than 60 pupils had been allocated places at the school and that a reduction in PAN would allow the school to operate with two classes in the reception year. This would allow the school to "*put firm financial plans in place*" as it would not need to employ a third teacher for the reception year, which would be necessary if the number of pupils were to exceed 60, in order to comply with the regulations about infant class sizes.
10. That request for a variation was approved in September 2017 (case reference: VAR729). At that time, the local authority did not request that the PAN for September 2018 be reduced, as it anticipated that more than 60 places would be required in the reception year at the infant school.

Consideration of Factors

11. I consider first the proposed variation to all aspects of the admission arrangements, other than the PAN, to which I will refer later. The arrangements determined for the infant school for September 2017 can be summarised as giving priority for places in the following order:
 - (i) Looked after and previously looked after children;
 - (ii) Children or families who have a serious medical, physical or psychological condition which makes it essential that the child attends the school;
 - (iii) Children living in the catchment area who have a sibling at the school or the linked junior school;
 - (iv) Other children living in the catchment area;

- (v) Children living outside the catchment area who have a sibling at the school or the linked junior school;
- (vi) Children of staff;
- (vii) Other children.

The oversubscription criteria determined for September 2018 are almost the same, except that priority for children of staff has been “promoted” to the third oversubscription criterion, with criteria (iii), (iv) and (v) all moved one place lower as a consequence.

12. The orders of priority for places proposed for Park View Primary School for both the remainder of the 2017/18 academic year and for September 2018 are identical to those determined for the infant school for September 2017 and September 2018, with the necessary exception that there is no reference to having a sibling at the linked junior school. I consider that it is appropriate for the local authority to adopt these oversubscription criteria for what is now a primary school. I can find no suggestion in the consultation relating to the statutory proposal or in the report made by the Director of Children’s Services (the director) to the Executive Member for Education that any change to the admission arrangements was ever envisaged, other than the necessary adjustments. Clearly, the arrangements the school used when it was a junior school are no longer entirely fit for purpose, as the age range of the school is now different. The proposed arrangements include the required information about how parents of a summer born child may request that they are admitted out of their normal age group – to reception rather than year one. This, of course, did not need to feature in the arrangements for the junior school. I therefore approve this aspect of the proposed variation.
13. I turn now to the proposed PAN for the school. The PAN for the junior school for both September 2017 and for September 2018 was determined as 90. The PAN for the infant school was also originally determined as 90 for both years, but that for September 2017 was subsequently varied to 60. The local authority has requested that the PAN for the junior school, now the primary school, be varied to 60 for both years.
14. The public notice for the statutory proposal to close the infant school and extend the age range of the junior school indicates that the intention was to “*Establish a community primary school for up to 630 pupils.*” Such a school would normally have 90 places in each of its seven year groups. Indeed, I note that the director’s report, when explaining that there would need to be a variation to the junior school’s admission policy should the proposal be approved, states,
- “*This would change it to a primary school policy with a Year R intake of 90.*”

15. In fact, at the time that report was written, it was known the PAN for the infant school had been varied to 60. I would have expected this to have been made clearer in the report. Nevertheless, I have no doubt that the same arguments that prompted that variation request continue to apply and that the PAN for the school for the remainder of the current academic year should match that of the now closed infant school. As the school has been organised on this basis for several months, I consider the likelihood that anyone will be affected by the reduction is very small. I therefore approve the variation to the determined PAN for September 2017 from 90 to 60.

16. The request that the PAN for September 2018 also be reduced from 90 to 60 is rather more problematic. The local authority has not previously sought a reduction as it anticipated that more than 60 places would be required. Indeed, it has recently undertaken a consultation and determined a statutory proposal on the basis that the school would have a PAN of 90. In requesting the reduction, it said that a PAN of 60 is needed,

“In order to provide stability for Park View Primary School in its new phase.”

When I asked for further explanation, I was told,

“This will allow the school to set a stable and affordable staffing structure and focus on the quality of teaching and learning.”

17. Whilst appreciating the need to facilitate rapid improvement at what was the infant school, I was concerned that some children and families might be significantly disadvantaged if they were unable to obtain a place at the school, particularly if they lived in the catchment area or had older siblings at the school. Accordingly, I agreed with the local authority to wait until application numbers were known before making a decision about the requested reduction in PAN for September 2018. It is now expected that around 50 offers of places will be made. In these circumstances, I would not expect a reduction in PAN from 90 to 60 to cause disadvantage to any group of children. A PAN of 60 will allow the school to operate with two classes in the reception year, without the need at any point to establish a third class, which, if the number in the year group exceeded 60, would be required in order to comply with the regulations about infant class sizes. I therefore approve the variation to the determined PAN for September 2018 from 90 to 60.

Conclusion

18. The statutory proposal that resulted in the closure of the infant school and the extension of the age range of the junior school means that the admission arrangements for what is now a primary school need to be changed. The proposal that the arrangements for the junior school are varied to match, as far as possible, those of the closed infant school, is

appropriate. The reduction in PAN to 60 for the remainder of the current academic year reflects a previous variation to the PAN of the infant school. A similar reduction for September 2018 will enable the school to plan a stable class structure and will not cause disadvantage as fewer than 60 places are expected to be needed.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Hampshire County Council for Park View Primary School, Basingstoke, which was previously known as Park View Junior School, for September 2017 and September 2018.

20. I determine that the variations to the admission arrangements for Park View Primary School shall have effect for the remainder of the 2017/2018 academic year and for September 2018 and that the published admission number (PAN) for both of these years shall be 60.

Dated: 24 January 2018

Signed:

Schools Adjudicator: Peter Goringe