Office of the Schools Adjudicator

DETERMINATION

Case reference: **VAR801**

Admission Authority: **The London Borough of Harrow for Welldon Park Primary School**

Date of decision: **7 January 2019**

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 Harrow for Welldon Park Primary School for September 2019.

I determine that for admissions in September 2019 the Published Admission Number shall be 60.

The referral

1. The London Borough of Harrow (the local authority) has referred a proposal for a variation to the admission arrangements for Welldon Park Primary School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community school for children aged 3 to11.

2. The proposed variation is to reduce the Published Admission Number (PAN) from 90 to 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 (the Code).

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

- the referral from the local authority dated 4 December 2018 and supporting documents;
- the determined arrangements for 2019 and the proposed variation to those arrangements;
- a copy of the local authority's composite prospectus for parents seeking admission to schools in the area in September 2019;
- a copy of the letter notifying the governing board of the school about the proposed variation;
- the minutes of the governing board's meeting on 20 November 2018 confirming support for the proposed variation; and
- a copy of the letter notifying the appropriate bodies about the proposed variation.

The proposed variation

7. The local authority determined the admission arrangements, including the PAN, for September 2019 for the community and voluntary controlled schools in the borough on 26 February 2018. The PAN for Welldon Park Primary School was set at 90.

8. The local authority has said that there are a high number of vacancies in Reception Year (YR) at the school and that without a formal reduction in the PAN, there is concern that "*the school would need to open an additional class or appoint an additional teacher that would place further pressure on the school budget.*"

Consideration of the case and summary

9. I shall consider in detail the local authority's case for applying for a reduction to the PAN of the school for September 2019. In this context, I note that the school is due to convert from being a community school and to become an academy from 1 February 2019. Consequently, its academy trust will assume responsibility for its admission arrangements, including the PAN.

10. Following National Offer Day in 2018, the local authority reviewed information on offers made and places available. It wrote to the governors at Welldon Park on 15 November 2018 seeking support for a request to the adjudicator to reduce the PAN at the school from 90 to 60 for September 2019. The governing board met on 20 November 2018 to consider the letter from the local authority. The headteacher "*said that the capacity of the current reception class is 90 but there are only 72 on the school roll. WPPS [the school] is funding 3 classes on less than a 3 year budget."* and *"**Governors unanimously agreed to the in-year variation to reduce our September 2019 intake from 90 to 60.**"*

11. The local authority submitted information about the number of first preferences and places allocated at the school between 2015 and 2018 and the forecast for the number of places expected to be needed in the next three years.

September	PAN	Number of first preferences	Number of places allocated
2018	90	48	68
2017	90	56	78
2016	90	55	81
2015	90	60	90

	Number of places forecast to be required
2019	60
2020	60
2021	60

12. The local authority told me that it *"has sufficient places in the planning area. The projections have shown that we have nearly 90 surplus places for the next three years and the current projections state that the number of surplus places will continue to rise to 4FE [forms of entry] by 2027."*

13. In its letter to the school, the local authority said that the reduction in the number of pupils was "*a significant change for the school which was oversubscribed for September 2015. This change is believed to be for a number of reasons including:*

- *The rate of increase of Reception applications for Harrow has been lower than originally forecast and in particular impacting on some schools in the South West [of the borough] area.*

- *Reduction in applications due to this being an area of mobility in Harrow that has increased as a result of welfare changes.*

- *The slower than envisaged speed of progress on redevelopment schemes within South West area of Harrow."*

14. The school was inspected by Ofsted in March 2018 and placed in Special Measures but there has been no reference in the information I have received from the local authority about the possible impact of this on applications for the school.

15. At the meeting of the Cabinet of Harrow Council on 11 October 2018, a paper, *Strategic School Organisation and Admission Arrangements,* was tabled which proposed a consultation on the reduction of the PAN at three schools in the borough including Welldon Park for admissions in September 2020. The proposal was agreed.

16. For admissions in September 2019, the school is planning on the basis of two YR classes. Given the requirements of the infant class size regulations, admitting more than 60 children, would have required the school to organise itself to ensure that no more than 30 key stage one children were taught by a single teacher (unless one or more of the limited exceptions in the infant class regulations applied).

17. I accept that applications to the school have fallen over the last few years. Indeed, from having 90 children in YR in 2015, the school now has 22 fewer with only 68 YR pupils in the current academic year. There have also been fewer first preferences expressed for the school each year. It seems unlikely to me that reducing the PAN to 60 would, in any meaningful way, limit the scope for parental preferences to be maximised. The local authority is concerned about the financial impact on the school of possibly needing to organise a number of children only slightly in excess of 60 in a way that would allow compliance with the infant class size regulations. This would be likely to involve recruiting another teacher or adopting mixed aged classes or some combination thereof. In the application for the variation, the local authority told me that the proposed variation would "*give the school better financial stability moving forward."*

18. I accept the local authority's case and approve the proposed variation.

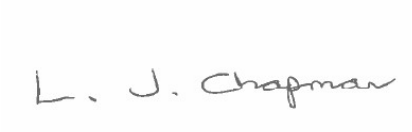
Determination

19. 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 Harrow for Welldon Park Primary School for September 2019.

20. I determine that for admissions in September 2019 the Published Admission Number shall be 60.

Dated: 7 January 2019

Signed:



Schools Adjudicator: Lorraine Chapman