



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2628

Admission Authority: Suffolk County Council for Pot Kiln Primary School, Sudbury

Date of advice: 22 September 2025

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 Suffolk County Council for Pot Kiln Primary School for 2026/27.

I determine that the published admission number for admission in 2026/27 will be 30.

The referral

1. Suffolk County Council has referred to the adjudicator a proposal for a variation to the admission arrangements for Pot Kiln Primary School (the School) for 2026/27, following an earlier variation request for 2025/26 that was approved in April 2025 which sought to lower the published admission number for the School from 45 to 30.
2. The School is a community school for children aged 3 to 11 in Sudbury, Suffolk. The Local Authority (LA) is the admission authority for the School.
3. The proposed variation is that the published admission number (the PAN) for admission to Year R in 2026/27 is reduced from 45 to 30.

Jurisdiction and procedure

4. Section 88E of the School Standards and Framework Act 1998 (the Act) makes provision for variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (insofar as is relevant here):

“3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it **must** consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations”.

5. The LA has provided me with confirmation that the appropriate bodies have been notified of the proposed variation in line with the Code. The proposed variation has the support of the governing body of the School.
6. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.
7. In considering the variation request, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decision includes:
- the referral from the LA dated 18 July 2025, supporting documents and further information provided by the School at my request;
 - the determined Arrangements for 2026/27 and the proposed variation to those Arrangements;
 - maps showing the location of the School and other relevant schools; and
 - information available on the websites of the Department for Education, the LA and the School.
9. I note that the admission authority has responded to other aspects raised in the variation determination for the School on 16 April 2025 (VAR2533) by revising

determined the arrangements for 2026/27 accordingly.

10. In the interests of dealing speedily with this and the many other requests for variations currently, I have not considered other aspects of the admission arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the arrangements do or do not conform with the requirements relating to admissions.

Consideration of proposed variation

11. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Clearly it is desirable that changes to arrangements are made via the process of determination following consultation as the consultation process allows those with an interest to express their views. It also allows for objections to the adjudicator. None of this is afforded by the variation process.
12. I note here that if I decide to vary the Arrangements for 2026/27 by reducing the PAN from 45 to 30 as proposed, it will impact on the admission arrangements for 2027/28 that have not yet been determined. I note the LA's intention to consult on lowering the PAN for 2027/28 school year to "ensure future stability for the school" regardless of the outcome of this determination. If this variation is approved, then the PAN will carry forward to 2027/28. The LA would not necessarily need to consult at that point.
13. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or certain other limited and specified circumstances. I will consider below whether the proposed variation is justified by the change in circumstances.
14. The major change in circumstances relied upon by the admission authority is set out in the referral, which states:

"Due to the latest forecast figures compiled in June 2025 from the new population data and the latest patterns of parental preference, we would now request the PAN continues at the lower number of 30."

"The latest forecast figures also confirm that there is a justification for the Local Authority to consult on the PAN of 30 for the 2027/28 school year. This will be undertaken in the Autumn term 2025."

The reduction of PAN from 45 to 30 for 2025/26 was upheld in VAR2533 in April 2025 where the adjudicator completed a detailed analysis of demand for reception places in the area and in the school.

Overall demand for Year R places in the area

15. As the School is a community school maintained by Suffolk County Council, the admission arrangements are those determined by the LA. The PAN for the School is 45.
16. In September 2025 the School was allocated only 17 pupils to Reception including late applications received after the national deadline.
17. The LA has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty, it assesses the likely future number of places to be needed and plans to meet that need. The LA uses planning areas, which are geographical areas each containing several schools, for this purpose. The School is one of seven located in the Great Cornard planning area.
18. The LA has provided me with the following table showing the numbers of two- and three-year-olds on roll in the School nursery at census between May 2023 and May 2025. It is generally the case that children in the nursery form the bulk of the applicants for places in Reception at the School.

Table 1: Number of children on roll in the School nursery

Census date	2-year-olds	3-year-olds	total
May 2025	5	12	17
January 2025	5	12	17
October 2024	4	7	11
May 2024	7	18	25
January 2024	11	11	22
October 2023	6	11	17
May 2023	0	30	30

19. The above data suggest that since May 2023 a PAN of 30 has been sufficient to offer and provide YR places for all children from the School nursery and give the opportunity for parents whose child is not in the School nursery to express a preference for the School and likely be offered a place.
20. Considering the actual numbers in table 1 for those currently on roll in the nursery and the fact that only 17 Reception places were allocated for September 2025, I agree that a PAN of 30 is adequate to meet the needs of local children.
21. Based on information from previous adjudicators determination (VAR2533) and assurance provided by the LA I am satisfied that a reduction of the School's PAN to 30

for 2026/27 does not leave a shortage of places in the local planning area for children whose parents are seeking a place for their child at the School.

22. I now turn to the number of children at the School and the reasons given by the admission authority for seeking a PAN reduction as set out in their referral.

23. The LA tells me the following:

“The school currently has ten classes. From September 2025, before the previous variation was approved, the school was potentially having a class structure of nine classes, with some of the Reception Year continuing to be taught with the nursery. Due to lower numbers coming into Reception Year, the school will now have eight classes. The Reception Year will now be taught with some of Year 1.”

The LA also states that:

“There is very limited house building in the area in the next few years and so there will not be an increase in pupil numbers through families moving into new properties.”

24. The School confirmed that the reduction has been considered by the governing body which states that “it has not been taken lightly, but in the best interests of the school, the families and children we serve”.

25. The Schools Financial Benchmarking Website indicates that the School had an in-year balance of £112,698 in 2024/25 with a revenue reserve of £187,517. The governing body states that:

“The impact of this decision not being supported would enforce the school into a deficit budget scenario which would have a significant negative impact a time when we are recovering from a lengthy spell of uncertainty and change at our school”

26. It is clear that the reorganisation of classes from 10 to 8 will provide even greater financial certainty to the School moving forward.

Summary of findings

27. Having considered all the matters above, my reasoning can be summarised as follows:

- a. The proposed variation does not give rise to any concerns about the sufficiency of Year R places in the area for 2026/27.
- b. There is no current indication of any potential for the frustration of parental preference. Even with a reduced PAN of 30, forecasts suggest there is still substantial capacity to accommodate applications in year if necessary because of the low existing numbers in the nursery and the fact that there are unlikely to

be many (if any) applications from the parents of children not attending the nursery.

- c. The proposed variation will allow the School to plan with certainty for its long-term plans to accommodate a reduced number of pupils. This will make a significant improvement to the School's financial position, and hence to its ability to meet the needs of the existing children on roll. If the proposed variation is not approved, there is a risk of a negative financial and organisational impact on the School, with detriment to those children already at the School and to others who may lose out, if funding has to be diverted to pay for the provision of an extra class for 2026/27.
- d. The agreed reduction of PAN in 2025/26 means that agreeing to vary the determined arrangements for 2026/27 will provide certainty and stability to the School and enable them to plan effectively. The reduction is consistent with the LA's intention to reduce the PAN in 2027/28 to 30.

28. After carefully weighing up the above factors, I conclude that the proposed variation is justified by the circumstances, and I approve it.

Determination

29. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Suffolk County Council for Pot Kiln Primary School for 2026/27.

30. I determine that the published admission number for admission in 2026/27 will be 30.

Dated: 22 September 2025

Signed:



Schools Adjudicator: Mr Philip Lloyd