



Office of  
the Schools  
Adjudicator

**Request for a variation for admissions in September 2021  
(adjust date as appropriate)**

Name of school	Mellor St Mary CE Primary School
Type of school (i.e. foundation, voluntary aided, community or voluntary controlled) <sup>1</sup>	Voluntary Aided
Address of school	Brundhurst Fold Mellor Lancashire BB2 7JT
Telephone number of school	01254 812581
Name of headteacher	Joanne Embley-Peers
Email address of headteacher	head@mellor.lancs.sch.uk
Name of chair of governors	Mr P Skupski
Email address of chair of governors	phsk01@handelsbanken.co.uk
Name of local authority	Lancashire
Name and address of authorised officer in local authority	

<sup>1</sup> Applications to vary admission arrangements of academies and free schools should be directed to the Education and Skills Funding Agency.

Telephone number

Email address

For schools with a religious character, what is the name and address of the authorised officer in the religious authority?

Dr Sam Johnson  
Blackburn Diocesan Board of  
Education,  
Clayton House  
Walker Office Park  
Blackburn  
BB1 2QE

Telephone number

07572 258276

Email address

sam.johnson@blackburn.anglican.org

Signature

Date

*P. Skupski*

10.07.2020

To be signed by the responsible person for the admission authority. For community and voluntary controlled schools, this will normally<sup>2</sup> be an authorised officer of the local authority. For voluntary aided and foundation schools this will be the chair of governors.  
(type name if sending electronically)

Please note that information provided on this form will be copied to the other parties listed above.

Please complete the appropriate parts of this form. If possible, please send the form and all necessary attachments by email to [osa.team@schoolsadjudicator.gov.uk](mailto:osa.team@schoolsadjudicator.gov.uk)

Or post to: The Office of the Schools Adjudicator  
Bishopsgate House  
Feethams  
Darlington  
DL1 5QE

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<sup>2</sup> In the unusual case that the local authority has delegated responsibility for admissions to the governing board, making it the admission authority, then this will be the chair of governors.

## Initial information required

### 1. Current Admission Arrangements

Before an adjudicator can consider a variation, he or she needs to see evidence that the admission arrangements for the relevant year have been determined, that is formally agreed, by the admission authority. If the arrangements have not been determined, the adjudicator has no jurisdiction to consider the proposed variation.

Please provide:

- a. a copy of the **complete admission arrangements** for the relevant year including any supplementary information form or other relevant documentation and a link to where they can be found on the admission authority's website; and
- b. a copy of the **minutes of the meeting** where the arrangements for the relevant year were **determined by the admission authority**.

### 2. The requested variation

The documentation requested above will establish that the adjudicator has jurisdiction. When that is received then the adjudicator will be able to consider the proposed variation.

- a. What major change of circumstance has occurred since the arrangements were determined making it necessary to request a variation? The adjudicator will consider if the variation is a necessary and appropriate response to the change in circumstances.

During the COVID19 pandemic, churches and other religious buildings have been closed by law for public worship and for other uses. Since the school's oversubscription criteria include church attendance, (at a specified frequency and period of time) parents and their children are unable to meet this criterion under the terms of our current admissions arrangements

- b. What problems have arisen, or are foreseen, as a result of this change in circumstances?

Parents and their children will not be able to clearly identify how they may meet that criterion and how church attendance will be determined. The school will have difficulty in advising prospective pupils and their families; in dealing fairly and lawfully with admissions decisions and potential appeals, and diocesan education staff and clergy will also face uncertainty on these matters, for instance when completing the approved Supplementary Information Form (SIF). It is also the case that not all churches and other worship centres will be open for public worship at the same time, and that public health requirements may lead to temporary closures and other restrictions should infection levels rise again.

c. What variation is being proposed and for which year of admission?

***To the current oversubscription criteria*** relating to church attendance the proposed variation for admissions in September 2021 to Year R, **as given below:**

**Section 2 (b)** with a parent/guardian worshipping in a church in membership of Churches Together in England.

Parental worshipping is normally taken to mean a minimum of monthly attendance at church at public worship for over at least the twelve months leading up to **1st September 2020**.

The governors will request confirmation of this from the relevant member of clergy or the Churchwardens. The list of Churches can be found on the Churches Together in England website at [cte.org.uk](http://cte.org.uk) and is taken as that on 1st September 2020. Churches in membership of the equivalent bodies in Northern Ireland, Scotland and Wales are accepted.

Where a family has changed churches, then information about all of them will be required.

**add the following requested variation:**

“In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship”.

- d. How will the proposed variation address the problems arising from the change of circumstances?

It provides the necessary and carefully drawn clarification that will enable parents and others concerned with admissions matters to clearly identify how church attendance is determined for admissions where this oversubscription criterion is relevant. It also provides for the potential for church closures being required during the pandemic if there is a need for local, regional or national reimposition of control measures

### 3. Notification of appropriate bodies

It is necessary to provide evidence that the following bodies have been notified of the proposed variation as required by paragraph 3.6 of the School Admissions Code:

- all other admission authorities and all governing boards for community and voluntary controlled schools within the relevant area<sup>3</sup> (except that primary schools need not notify secondary schools). This is expected to include schools within a reasonable distance whether or not in the same local authority area;
- whichever of the governing board or the local authority is not the admission authority; and
- in the case of schools with a religious character, the religious authority.

A notification is not a consultation. The adjudicator would expect the admission authority to have provided enough information in the notification to the above bodies for an understanding of the change in circumstances and the proposed variation.

In addition, before a local authority refers a request for a variation to the admission arrangements of a community or voluntary controlled school to the adjudicator, it must consult the governing board of the school.

**The variation cannot be considered if notification and consultation (of the governing board in the case of proposed variations to the arrangements of community or voluntary controlled schools) have not occurred.**

Please provide:

- a. evidence that the governing board of the community or voluntary controlled school has been consulted (if appropriate);

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<sup>3</sup> The relevant area is defined in the Code as “*The area for a school (determined by its local authority and then reviewed every two years) within which the admission authority for that school must consult all other prescribed schools on its admission arrangements.*”

- b. evidence that the above notification requirements have been met; and
- c. provide any comments received from the above bodies about the proposed variation (if no responses were received please say so).

**4. Please complete the appendix if the proposed variation is for a reduction in the published admission number.**

## **Appendix: proposed reduction of published admission number (PAN)**

**Only complete** this section if you are applying for a reduction in PAN.

Foundation and voluntary aided schools may need to obtain some of this information from their local authority.

The adjudicator needs to be assured that any reduction in PAN does not compromise the local authority's duty to ensure that there are sufficient school places in the area. Different admission authorities and local authorities plan the places needed in different ways. In most areas, and certainly in urban and suburban areas, planning is likely to be the basis of "planning areas" which cover a number of schools. In particularly rural areas planning may be done on the basis of an individual school. Please provide the information requested in A or B below as appropriate.

- A. If **place planning** for the area **is based on an individual school** please provide:
- a. a map showing the location of the school and the nearest local schools;
  - b. the PAN for the relevant year or years of entry last three years;
  - c. the numbers of preferences made for the school (first, second, third and so on) for the last three years;
  - d. the number of children admitted to the school at the normal point or points of entry for each of the last three years;
  - e. the number of children expected to be requiring a place at the school at the normal point or points of entry in the next two years; and
  - f. if there are expected to be more children requiring a place at the school than the proposed PAN please provide:
    - i. the number of children likely not to be offered a place at the school if the PAN is reduced;
    - ii. the names of the schools where the children displaced by the lower PAN are likely to be admitted; and
    - iii. the distances such children are likely to have to travel to alternative schools compared to the distances they would travel to the school which is the subject of the proposed variation.
- B. If **place planning is based on a planning area** please provide:
- a. a map showing the planning area and the relevant schools within it and any other relevant schools;
  - b. the names of the schools in the planning area;
  - c. the PANs of the schools in the planning area for each relevant year of entry for the last three years and the coming two years (as far as is known) with the totals for the planning area;
  - d. the number of children admitted to these schools in the last three years at the usual point or points of admission with the totals for the planning area;

- e. the number of children allocated a place at these schools for the September following the date of the variation and for the following September if this is available;
- f. the forecast numbers to be admitted to these schools at each normal point of entry for the coming two years with totals for the planning area; and
- g. if the forecast number of places predicted to be needed is higher than the number of places available, please provide:
  - iv. the number of children likely not to be offered a place at the school if the PAN is reduced;
  - v. the names of the schools where the children displaced by the lower PAN are likely to be admitted; and
  - vi. the distances such children are likely to have to travel to alternative schools compared to the distances they would travel to the school which is the subject of the proposed variation.