

**Admission Appeal Defence Statement  
Secondary School – The Malling School  
Admission Appeal for Year 7 in September 2022**

Published Admission Number: <b>1003</b>
Number of Applications received: <b>455</b>
How many places were offered on national offer day and what is the position today: <b>153 mainstream places offered on national offer day leaving 6 spaces for EHCP Mainstream students allocated through County.</b> (Full PAN is 159 mainstream, 24 Specialist Resource Provision (SRP) places. Total School Year PAN is 183)

<b>Places Offered – (Please catalog oversubscription criteria )</b>	<b>Numbers</b>
LAC	<b>00</b>
Sibling	<b>64</b>
Staff Child	<b>04</b>
Health & Special Access	<b>00</b>
Distance	<b>89</b>
Total number of pupils offered a place;	<b>153</b>
Rank position of last child offered a place on national offer day;	<b>238</b>
Rank position of this appellant;	<b>-</b>

<b>Distance of last child allocated a place (N/A if not applicable);</b> The last child allocated on national offer day lives a distance of 1.42 miles from the school.
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<i>Please set out below the reasons why to admit this child would prejudice the provision of effective education or efficient use of resources. What are the implications for the school in delivering the curriculum if the child was offered a place?</i>	
<p>For Year 2021/22, The Malling School currently have 1018 pupils with a PAN of 1000. We were allocated over PAN by 21 students for the September 2019 (current Yr9) intake in spite of our admission criteria stating 159 main school. We remain 11 over pan in this year group. Adding another child from the Appeal List would only increase this overcapacity.</p> <p>Our school is a Private Finance Initiative (PFI) school and is built with a capacity of 1000, confirmed by the PFI contract.</p> <p>Once the 180 places are allocated to our September 2022 intake our projected numbers for September 2022 will be as below making us 12 students over our PAN.</p>	
<b>Year as at Sept 2022</b>	<b>Total</b>
Year 7	183
Year 8	181
Year 9	173
Year 10	191
Year 11	187
Year 12	50
Year 13	47
Total	1012

Over capacity causes an issue with building use which is restricted by the PFI contract. The Malling School does not have the ability to amend or construct due to these restrictions. We have two DT classrooms which provide a maximum usage of 20 students per lesson and from last September we have run maximum numbers of rotations to provide our statutory responsibility within the curriculum. The PFI contract does not allow for over-capacity in these rooms due to health & safety and keeping the students safe. The only solution is to reduce the access to DT for some students which would be discriminatory.

There is also a capacity issue with sports changing rooms, dining areas and hall space. PE classes in the lower years suffer with a lack of changing room facilities which again, because of the PFI element are a personal safety and wellbeing issue for these students.

Allowing more pupils than the net capacity of the school would cause danger to pupils should an emergency evacuation be required. Fire Marshals have previously expressed concern about the ability to evacuate when there were fewer pupils in the school and they would almost certainly not accept the risk associated with going above the net capacity.

The Malling School houses a large Specialist Resourced Provision (SRP), which has admitted 21 pupils in two classes, per year. Because of the nature of the pupils' needs they need to be taught in small groups and classrooms in the Tydeman building are half the size of a typical classroom to reflect this. Therefore, when these pupils are being taught elsewhere in the school their classrooms cannot be used by other classes which are larger. This has the effect of reducing the practical capacity of the school further and the school has spoken with the Local Authority about this issue.

Because pupils from the Specialist Resource Provision are taught alongside their mainstream peers, the average class size in the school needs to be 22 in order to adequately cater for their needs. Increasing class sizes further would have a detrimental impact on the education of these pupils in particular but would also affect the learning of other pupils. The school cannot simply put on additional classes in order to adjust the class size as it has insufficient classrooms. Nor can it plan to build additional classrooms in the future as it is a Private Finance Initiative (PFI) school.

The school already faces the prospect of having to significantly increase class sizes over the next few years because of the limited number of classrooms and even with this adjustment is already fearful that it will run out of classroom space. It would therefore be irresponsible to admit further children to make this problem worse. If additional pupils are agreed at appeal it is likely that the school will have to reduce its PAN in the future. This would be inefficient use of resources and would also provide additional pressure on a school system that already needs additional secondary school places in the future.

In short, the school is already facing future challenges in providing an appropriate education for many of its pupils and in ensuring pupil safety for all pupils. Any additional pressure would be irresponsible and unacceptable.

*Additional information such as Threshold Statements, Scheme Statements, Secondary Transfer, Oversubscription Criteria, Head Teacher Review & offer letter to be attached if applicable.*

*Additional information:*

- *Please provide details of the School Capacity;*

Included in the body of evidence above

- *Number of pupils on role in each year group;*

**Student Totals for Year Groups**

**Enrolment Status :**  
**<Any>**

<b>Year</b>	<b>Total</b>
Year 7	181
Year 8	173
Year 9	191
Year 10	187
Year 11	182
Year 12	47
Year 13	55
Year 14	2
<b>Totals</b>	<b>1018</b>

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- *Number of teaching groups for the year 7; and*

Number of teaching groups in Year 7 is 99, whole school is 531.

- *How the school organizes its classes*

September 2021 –

Year 7 = 6 form entry plus SRP

Year 8 = 6 form entry plus SRP

Year 9 = 7 form entry plus SRP

Year 10 – 11 = 8 form entry plus SRP

- *Room sizes being taught in*

Included in the body of evidence above

Completed by: Headteacher Mr John Vennart Date: 28.02.2022