

**TITLE** Local Authority Annual Report to the Office of the Schools Adjudicator

**FOR CONSIDERATION BY** School Admissions Forum on 17 July 2013

**REPORT PREPARED BY** Sue Riddick

**SUMMARY**

The purpose of this report is to present the Annual Report to the Office of the School's Adjudicator which was forwarded by the deadline of noon on 28 June 2013.

**RECOMMENDATIONS**

Members of the Forum to note the information provided which includes information regarding the 2013/14 admission rounds together with information relating to 2012/13 In-year admissions.

**SUPPORTING INFORMATION**

The local authority is required to submit by 30 June each year in accordance with changes made to the law made by the Education & Skills Act (ESA) 2008 and regulations, in particular Statutory Instrument 2008 No 3091 and a template has been provided to local authorities by the Office of the Schools Adjudicator (OSA) for completion.

There is a requirement for the report to be published by the local authority by the same date and the final report was published to the School Admissions part of the council's website.

**List of Background Papers**

Relevant regulations

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**Date** 8 July 2013

**Version No.** 1



Office of  
the Schools  
Adjudicator

**LOCAL AUTHORITY REPORT**  
**TO**  
**THE SCHOOLS ADJUDICATOR**  
**FROM**  
**Wokingham Borough Council**

**30 JUNE 2013**

**Report Cleared by:** Brian Grady  
Interim Head: People Hub

**Date submitted:** 28 June 2013

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## Introduction

1. Section 88P of the School Standards and Framework Act 1998 requires Local Authorities to make an annual report to the adjudicator.
2. The School Admissions Code (the Code) at paragraph 6 sets out the requirements for reports by local authorities. Paragraph 3.23 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other local issues.
3. The remit letter from the Secretary of State for Education to the Chief Schools Adjudicator also makes reference to additional matters on which he wishes to have a report included in the Chief Adjudicator's annual report. Rather than undertake a separate exercise in which information is sought from local authorities, you are asked to include any relevant information in your report to the adjudicator.

## Completing the Template

**This template is designed to be completed electronically - boxes will expand as necessary.**

**Throughout this report, please include middle deemed primary schools as for pupils up to age 11 and middle deemed secondary schools as for pupils over 11.**

**Where type of school is given; foundation covers foundation schools and foundation schools with a foundation (trust schools). Academy covers all types of Academy schools (Academies, Free Schools, University Technical Colleges and Studio Schools).**

## Local Authority school numbers

Please give the total number of schools by type within your local authority as at 30 June 2013.

Type of School	Number of schools		
	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Total number of Schools
Community	31	5	36
Voluntary Controlled	9	0	9
Voluntary Aided	9	0	9
Foundation	0	0	0
Academy	0	4	4
<b>Total</b>	<b>49</b>	<b>9</b>	<b>58</b>

## Admission Arrangements for Admissions in September 2013

Please provide details of how the admission arrangements for schools in your local authority serve the interests of the groups of children listed below. Please include details of any problems that have arisen for these children while allocating places for admissions in September 2013 [the Code paragraph 3.23 a) refers].

### **Looked after children:**

Looked after children and children who were previously looked after are prioritised as required by the School Admissions Code and admitted to schools. Information is sought from the local authority with responsibility for the child to support applications made under this criterion.

Seven children are allocated under this criterion to start school; 2 children are allocated under this criterion in the transfer to junior and 10 children are currently allocated to transfer to secondary school in September 2013.

Eleven children have been allocated in-year for the academic year 2012/13. Six in the primary phase and five in the secondary phase.

It is noted that this criterion is quite restrictive as it only applies to children in English and Welsh care authorities and with restrictions on when the Acts referred to were enacted which has led to some confusion.

The school admissions team is liaising with the virtual Headteacher for Looked after Children when applications are received to ensure appropriate placement.

### **Previously looked after children:**

These children have been included in the numbers above. No differentiation can be made when applying criterion A (looked after and previously looked after) on the Capita ONE admissions and transfer module and therefore precise numbers are not available.

### **Children with disabilities:**

The authority makes provision for children with disabilities through individual Statements of Special Education Need and has resources to meet specific needs as follows:

#### Secondary:

Physical disabilities – preferred school – The Piggott CE School  
Dyslexia – resource at The Bulmershe School

#### Primary:

Physical disabilities – resource at All Saint's Church of England Aided Primary

School and Lambs Lane Primary School  
Hearing impairment – designated schools – Emmbrook Infant and Junior Schools and Ambleside Nursery School  
Speech and Language – resource at Highwood Primary School  
Autistic Spectrum Disorder (ASD) – resource at Wescott Infant and Westende Junior Schools.

The authority has, as its second oversubscription criterion, a criterion pertaining to “children who have a serious medical, physical or psychological condition which makes it essential that they attend the preferred school rather than any other. This criterion enables parents to apply where their child has a specific need that can only be met by the preferred school provided evidence is submitted from a professional person involved with the family to support their preference for consideration by an Admissions Panel. Eleven (four in 2012) children to start school and two (two in 2012) children due to start secondary school in September 2013 were allocated under this criterion.

Two of Academy converter schools – Maiden Erlegh and Piggott have removed this criterion from their oversubscription criteria following consultation.

Schools are required to make provision within their policies and procedures to meet the needs of children with disabilities. There is a process for schools to bid for capital funding to improve accommodation or to make specific provision where appropriate.

### **Children who have special educational needs**

- i) Have a statement of special needs that names a school: 810 children living in the borough and 982 including other authority children for whom the authority has administration and financial responsibility.
- ii) Have special needs, but do not have a statement: 779 children on School Action Plus living in the borough and 982 including other authority children for whom the authority has administration and financial responsibility.

### **Fair Access Protocol**

The Code at paragraph 3.9 requires each local authority to have a Fair Access Protocol agreed with the majority of schools in its area. Paragraph 3.11 of the Code requires that all admission authorities must participate in the Fair Access Protocol.

- a) Please confirm that your local authority has a Fair Access Protocol that has been agreed with the majority of schools in your area.

Tick as appropriate:            Yes ✓            No

If **NO**, please explain: The local authority is currently reviewing its Fair Access Protocol and expects to consult with its schools either later in the summer term or in the early part of the autumn term. The existing Fair Access Protocol was included in the admissions consultation and determined as part of the 2012/13 arrangements, there were no objections.

b) Although a majority of schools, and perhaps all, will have agreed the Fair Access Protocol, some may not have done so; please state how many schools have not agreed the Fair Access Protocol.

Type of School	Number of schools that have not agreed Fair Access Protocol	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community	0	0
Voluntary Controlled	0	0
Voluntary Aided	0	0
Foundation	n/a	n/a
Academy	0	0
<b>Total</b>	0	0

c) Where schools did not agree the Fair Access Protocol; please say why they did not agree.

d) Have you reviewed your Fair Access Protocol since the School Admissions Code 2012 was introduced?

Tick as appropriate:      Yes                      No      ✓

e) If YES, please briefly outline the process for the review and include any significant changes that have been made to your protocol.

f) If NO, do you plan to do so in 2013/14?

Tick as appropriate:      Yes      ✓      No     

If **NO** explain why: A review is currently underway and expected to conclude for the next academic year.

g) Please give your assessment of how well your Fair Access Protocol

has worked in the academic year 2012/13 in placing children without a school place in schools in a timely manner. Include details of i) any specific problems that have been encountered in applying the protocol; ii) examples of particularly effective collaboration and working.

**General Assessment:**

There are limited numbers of applications that meet the existing criteria for managed moves and schools have been most helpful when a request is made for a child to be admitted under the Protocol.

i) Any specific problems.

Where children have a range of needs that require further investigation and consideration before an appropriate placement can be made appropriate specialists and officers are identified and tasked to complete the review on an ad hoc basis. This carries a risk of inconsistent and slow decision making. It is proposed that more formal arrangements are established in the new Fair Access Protocol to establish more formal arrangements to provide greater consistency of service

ii) Examples of particularly effective collaboration and working.

The Secondary Federation has drafted and trialled new paperwork and procedure for managed moves between secondary schools and this will go forward to formal consultation and adoption where the majority of schools agree.

A number of colleagues have been actively involved in the preparation of Fair Access discussion documents to workshop with schools.

h) How many children have been admitted to each type of school in the area under the protocol? How many children have been refused admission to a school?

Type of School	Number of children admitted		Number of children refused admission	
	Schools for pupils up to age 11	Schools for pupils over age 11	Schools for pupils up to age 11	Schools for pupils over age 11
<b>Community</b>	16	12	0	0
<b>Voluntary Controlled</b>	13	n/a	0	n/a
<b>Voluntary Aided</b>	2	n/a	0	n/a
<b>Foundation</b>	n/a	n/a	n/a	n/a
<b>Academy</b>	n/a	11	n/a	0
<b>Total</b>	29	23	0	0

i) If children have not been placed successfully in a school through the protocol, have you used the direction process to provide a place for a child?

Tick as appropriate:            Yes X            No X            N/A ✓

j) If YES, how many children have been placed and in which type of school as a result of a direction, including a direction via the Secretary of State or after a referral to the Adjudicator?

Type of School	Number of children placed	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community	0	0
Voluntary Controlled	0	0
Voluntary Aided	0	0
Foundation	0	0
Academy	0	0
<b>Total</b>	0	0

k) Please add any other relevant information you wish to include in this section concerning Fair Access Protocols, for example, have you used the guidance issued by the Department for Education in November 2012 and has it proved useful?

The guidance has been useful and parts will be used within our revised Protocol documentation and it clearly indicates that direction is not appropriate for community and voluntary controlled schools for which the local authority is the admissions authority.

### Co-ordination of admissions

A) During the normal admissions round:

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2013 in your local authority highlighting any particular strengths in the process and any problems.

Primary: **Starting School (Reception)**

*Numbers in brackets is last year's information included for comparison purposes*

The total number of on-time Wokingham Borough applications numbered 1,925 a decrease of 21 from the previous year. 45 places were created within the Borough to ensure sufficient places to allocate a place to all those Wokingham Borough applicants who applied by the deadline as follows:

Shinfield Infant & Nursery – 30 places  
Grazeley Parochial CE Aided Primary – 15 places

These increases are part of planned expansions of the schools. In addition 90



school places are being created in three new one-form entry primary schools at Charvil, Woosehill and Winnersh to open in September 2013. These sites were chosen following extensive parental and public engagement during the summer and autumn terms 2012, to identify hotspot areas in the borough to increase school provision. The Charvil school will be run by The Piggott School (secondary) as an all-through 4 – 19 school and the Department for Education (DfE) has confirmed its approval to this change to the school's funding agreement. Expressions of interest were invited to run the Woosehill and Winnersh school sites and GEMS was selected by Wokingham Borough Council as our preferred provider and our recommendation was sent to the Department for Education in April. To date no initial approval has been given. Admission to these schools is outside the primary co-ordinated scheme but all providers have agreed to central co-ordination outside of the scheme.

83% received an offer for their first preferred school with 95% receiving an offer for one of their preferred schools (83% and 96% in 2012). 88 applicants were allocated to an alternative school where preferred schools were full (70). 75% applied online (the same as the previous year). 1,889 (1,924) were allocated to a Wokingham Borough school and 34 (20) to schools outside the Borough. On 16 April 2013 only 9 places remained unfilled at Grazeley Parochial CE Aided Primary – 8 places and Oaklands Infant – 1 place.

Parents could express up to four preferences. 337 (423) expressed a single preference, 373 (413) expressed two preferences, 485 (532) expressed three preferences and 738 (578) expressed four preferences. The significant increase in those who expressed four preferences reflects the awareness of parents about the pressure on places in the borough following the parental and public engagement in 2012.

The current place situation (at 12 June 2013) is as follows:

Earley St Peter's CE Aided – 1 place  
Farley Hill Primary – 5 places  
Grazeley Parochial CE Aided Primary – 10 places  
Highwood Primary – 4 places  
Rivermead Primary – 15 places  
Shinfield Infant & Nursery – 7 places  
St Dominic Savio Catholic Primary – 5 places  
St Sebastian's CE Aided Primary – 4 places  
Willow Bank Infant – 9 places  
Total: 60 places

A total of 58 (78) late applications have been received so far and parents have been allocated to preferred schools where a place became available from the waiting list. 10 children are currently without a school place following and their applications will be revisited after 1 July 2013. Parents have been informed of their right of appeal.

There were some delays in receiving the initial applications from other local authorities which meant that the own admission authority schools received those applications after the date set by the local authority for consideration. Now that a national offer date has been set with effect from 16 April 2014; it

would be helpful to set national co-ordination dates to ensure that the increasing number of own admission authority schools can be assured of receiving information for ranking and to enable local authorities to set realistic dates for own admission authority schools to complete ranking. In particular, one of our neighbours, Oxfordshire County Council submitted primary preferences for their children a week prior to notification of offers (fortunately there were not too many preferences for Wokingham schools.

As the new school providers have given their permission for the local authority to co-ordinate applications for the September 2013 intake, this will enable to the local authority to verify with parents which school offer will be accepted and to move waiting lists and settle appeals as appropriate. In addition, the local authority will be able to notify its existing schools as early as possible where there are changes to their allocated pupil lists. Inevitably changes after the allocation can create instability with some schools in the borough with planning resources and organising visits for smooth transition.

A group of parents has been working with CfBT to open a Free School in the Evendons Lane area. The Department for Education has given Evendons Primary School initial approval to open in September 2014 and it is expected that this school will be part of the primary co-ordinated scheme for 2014/15 as well as the applications for the three new school sites.

The council made offers to all 'on time' applicants by its deadline of 16 April 2013.

### **Transfer to year 3 (junior schools)**

The total number of on-time Wokingham Borough applications numbered 482 (507) with 76% (57%) applying online. 97% (96%) received their first preferred school with 98% (98%) receiving an offer of one of their preferred schools. Two (four) applicants were allocated to an alternative school where preferred schools were full. Five (13) applications were received for higher ranked primary schools which will be considered as an in-year application shortly and 19 (13) applications have been received late.

Parents could express up to four preferences but as expected the take-up of this was low as parents mainly expect their children to move to the linked junior school, as a result 310 (322) expressed a single preference; 117 (130) expressed two preferences, 38 (40) expressed three preferences and 19 (15) expressed four preferences.

49 (46) junior school places currently remain unfilled – Emmbrook Junior has four places; Gorse Ride Junior has 15 places; Oaklands Junior has two places; Robert Piggott CE Junior has 2 places; Shinfield St Mary's CE Aided Junior School has 25 places and Willow Bank Junior School has one place.

The council made offers to all 'on time' applicants by its deadline of 16 April 2013.

**Transfer to secondary school:**

The total number of on-time Wokingham Borough applications numbered 1,713 (1,673 last year).

86% (79%) received an offer for their first preferred schools with 98% receiving an offer (98% last year) for one of their preferred schools. 39 (28) applicants were allocated to an alternative school where preferred schools were full. 69 (79%) applied online, we are not aware of the reason for the reduction in online applications. 1,450 (1,390) applicants were allocated to a Wokingham Borough school and 259 (283) were allocated to schools outside the Borough. On national offer day; 143 (101) places remained unfilled – The Bulmershe had 72 (74) places; The Emmbrook had 5 (18) places and Oakbank had 19 places. Oakbank (a new Free School) opened in September 2012) with applications outside the co-ordinated scheme. This is the first year Oakbank has been included within the co-ordinated scheme.

Parents can express up to four preferences 384 (368) expressed a single preference; 389 (333) expressed two preferences; 479 (460) expressed three preferences and 461(512) expressed four preferences.

The current place situation (at 12 June 2013) is as follows:

The Bulmershe School – 118 places available

The Emmbrook School – 53 places available

The Forest School – 3 places available

Oakbank – 22 places available

Total: 196 (143) places available in the Wokingham Borough.

A total of 74 (51) late applications were received.

Files with applications for Wokingham schools were received late and there were some issues with incomplete preference information for single sex schools from Reading Borough Council. This was resolved the week prior to offer day. There are still some issues with the online application process relating to the system providing a list of some schools against the post code and some schools not appearing at all (especially new Free Schools).

The council made offers to all 'on time' applicants by the national deadline of 1 March 2013.

**B) In-year admissions:**

- a) How many requests for in-year admissions have been received since 1 September 2012?

<b>Number of in-year admissions 1/9/12 – 12/6/13</b>	
<b>For pupils up to age 11</b>	<b>For pupils over age 11</b>
797	274

- b) Please comment on the effectiveness of in-year admission arrangements in your local authority.

This authority has co-ordinated in-year applications since 2006, prior to the requirement to do so. Co-ordination with other local authorities has continued to improve although our network is highlighting that the removal of the requirement to co-ordinate from 1 September 2014 will lead to confusion and a fragmentation of the service that can be provided to parents. This authority has agreed to continue an in-year co-ordinated for community and voluntary controlled schools until 31 August 2015 and all own admission authority schools have agreed to be included.

Whilst the OSA has requested specific application information after 1 September 2013, the numbers of applications received for school places in the 2012/13 academic year is as follows: Total 1,115 (1,046) primary in-year applications have been processed; an increase of 69 on the previous year and 449 (463) secondary in-year.. (Information as at 12 June).

The above is broken down as:

	<b>Primary</b>	<b>Secondary</b>
Moves to the area:	510	135
Transfers within local authority:	279	125
Moves out of borough - co-ordinated	97	17
Applications from other local authorities	216	161
Infant to junior – primary preference	13	0
13+ applications	0	11
<b>Total</b>	<b>1,115</b>	<b>449</b>

There were 132 allocations from primary school waiting lists (not including Reception) and 70 allocations from secondary school waiting lists excluding Year 7 transfer.

The majority of in-year applications from outside the Borough are received from Reading Borough Council. Whilst applications are received from that authority and the outcome notified, it has been agreed that Wokingham Borough Council will notify the applicant direct of the outcome of their application. This reflects our partnership working and co-operation and is seen as an improved service for parents and is a move that takes into account the change to in-year admissions in the 2012 Code.

The application situation for places in the 2013/14 academic year is as follows:

	<b>Primary</b>	<b>Secondary</b>
Moves to the area	43	26
Transfers within local authority	34	7
Moves out of borough – co-ordinated	11	4
Applications from other local authorities	3	5
Waiting list movement	6	
<b>Total</b>	<b>97</b>	<b>42</b>

- c) From September 2013 in-year admission arrangements do not have to be co-ordinated by the local authority. Have you discussed with the own admission authority schools in your area the option of continuing to co-ordinate in-year admissions?

Tick as appropriate:            Yes ✓            No

- d) Will the local authority continue to co-ordinate in-year admissions for all schools in your area?

Tick as appropriate:            Yes ✓            No

- e) If NO, how many own admission authority schools have elected to manage their own in-year admissions?

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### Admission Appeals

- a) Please provide details about the number of appeals lodged for admissions in September 2013.

	Number of Appeals					
	Lodged	Settled	Withdrawn	Heard	Upheld	Not Upheld
Pupils up to age 11	52	5	1			
Pupils age 11-16	69	18	4	45	20	25
Pupils over age 16	0	0	0	0	0	0
Date up to which this information applies	12/6/13	12/6/13	12/6/13	12/6/13	12/6/13	12/6/13

***Please note there will be an opportunity to update this data up until 31 August 2013 - the update form is attached as an appendix so that you can return separately if you wish at the end of August.***

- b) Please add any comments about the appeals process in your area.

The secondary upheld figures can be broken down as 17 appeals allowed for The Piggott School which presents its own appeals with 3 allowed for schools for which the local authority presents the appeals.

The above figures do not include any pending primary appeals or any in-year appeals to be heard by the Oxford Diocese. Appeals for Wokingham borough

schools are either organised by the Oxford Diocese or by Wokingham Borough Council.

Whilst the OSA asks for information relating to appeals lodged for admissions in September 2013, usually known as “bulk” appeals. There have been monthly in-year appeals and the outcome of these appeals are as follows:

	Primary	Secondary
Lodged	80	25
Settled from waiting list	17	7
Withdrawn by parent	3	3
Heard	55	15
Upheld in favour of parent	10	9
Refused	45	6

### Other Issues

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally by 30 June.

a) Please indicate where or how a copy of the report can be obtained by a member of the public:

Tick as appropriate: Local authority website  Hard copy  Other

If other please state:

If not published by 30 June please provide details of when and where the report will be published:

It is intended to publish by 30 June

b) Paragraph 3.2 says “local authorities **must** refer an objection to the Schools Adjudicator if they are of the view or suspect that the admission arrangements that have been determined by other admission authorities are unlawful”. Please describe the process that the local authority uses to assess whether the admission arrangements of own authority schools comply with the Code.

Admissions authorities are reminded by the School Admissions Lead Officer to consult if changes are made to their policies and consultation documentation is placed on the local authority website in addition to the school.

These arrangements are checked by the School Admissions Lead Officer and also referred to the School Admissions Forum for comment. Responses are made to each consultation.

School websites are checked to ensure that consultation documentation is appropriately notified – two schools failed to do this adequately – All Saint’s CE Aided Primary School and St Teresa’s Catholic Primary School but both complied when reminded.

All own admission authority schools submitted the determined arrangements prior to 1 May 2013 as requested and in accordance with the School Admissions Code.

c) If any arrangements were thought not to be compliant, what action has the local authority taken to ensure own admission authority schools have admission arrangements that comply with the Code?

Each school has received notification of the local authority’s comments. All consultation documentation has been considered by the School Admissions Forum.

d) Are there any secondary schools in your area that give priority for attending named feeder primary schools?

Tick as appropriate: Yes  No

e) If YES, are you satisfied that attendance at the named primary school(s) does not introduce what is in effect a pre-condition for gaining a place at the secondary school?

Tick as appropriate: Yes  No

Please comment if appropriate:

This only applies to one secondary Academy and the criterion is low in their oversubscription criteria and covers all primary and junior schools in the north of the borough. The majority of children affected are prioritised under higher criteria (designated area, sibling or denominational). We are therefore satisfied that attendance the named schools do not introduce a pre-condition for gaining a place at the secondary school.

This school will open a primary school with its age range extended which will mean that in future children attending the primary school will be guaranteed entry to the secondary as an all-through school.

### **Local Authority Issues**

Please provide details of any other issues that you would like to raise and comment on that are not already covered in this report.

The main issue that we have experienced this year is the complexity in opening new school provision and specifically the time it takes for proposed providers to receive initial approval to run a school that the local authority is building to schedule.

Whilst it is appreciated that due diligence is being carried out by the DfE in securing an appropriate provider, the lack of defined timescales has been a cause of anxiety and frustration to prospective parents who have not received the offer of a preferred school at this stage and are allocated to schools some distance from their home address. There is a lack of parental understanding that whilst schools can and are being built by Wokingham Borough Council that the council is unaware of when decisions will be taken to secure the provider and issue the Funding Agreement, which affects when these parents can apply and receive provisional offers of school places, in the first instance.

### **Remit Letter from the Secretary of State for Education to the Chief Adjudicator**

The Secretary of State has asked that the Chief Adjudicator's annual report includes an assessment of the impact in local areas of having more own admission authorities and any implications for parental choice.

Does the local authority carry out any investigations into the impact for parents of having many or most or all schools in an area that are their own admission authority?

Tick as appropriate:            Yes            No ✓

If YES, what was the outcome of the investigation:

If NO, are there any plans to monitor the impact for parents of having an increasing number of own admission authority schools:

The majority of our schools are community or voluntary controlled. The balance is shifting in favour of own admission authority secondary schools for the next academic year when The Forest School converts to Academy status on 1 July, 2013. The local authority works closely with own admission authority schools to ensure fairness and two converter Academies currently commission the local authority to act on its behalf (although the responsibility still sits with the schools concerned).

If the admission arrangements of individual schools are all considered to be lawful, is there any difficulty for parents in securing a place at a local school?

Tick as appropriate:            Yes ✓            No



If **YES**, has the local authority considered what might be done to overcome any difficulties:

Yes, the difficulty is due to the lack of primary school places and Wokingham Borough Council is investing to provide new schools to try to move away from bulge classes which creates future difficulty for parents in later year groups relating to subsequent siblings. There is also frustration that parents can not secure school places at the most popular schools although the admission arrangements are clear, fair and transparent.

**Please email your completed report to: [OSA.TEAM@OSA.GSI.GOV.UK](mailto:OSA.TEAM@OSA.GSI.GOV.UK)**