



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **SCHOOL ADMISSIONS FORUM** will be held at the Civic Offices, Shute End, Wokingham, RG40 1BN on
WEDNESDAY 27 JANUARY 2016 AT 7.00 PM

A handwritten signature in black ink, appearing to read 'Andy Couldrick', written in a cursive style.

Andy Couldrick
Chief Executive
Published on 19 January 2016

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Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE SCHOOL ADMISSIONS FORUM

Councillors

Ian Pittock

Beth Rowland

Maggie Seagrove

Diocesan Representatives

David Babb

Church of England Diocesan Representative

Vacancy

Diocesan Representative

Parent Representatives

Phiala Mehring

Parent Governor Representative

Vacancy

Parent Representative

Representatives from the Local Community

Patricia Cuss

Early Years Forum

Vacancy

Other Faith Groups

Schools Representatives

Emma Reynolds

Bulmershe School

Celia Thatcher

Grazeley CE Aided Primary

Vacancy

Primary School

ITEM NO.	WARD	SUBJECT	PAGE NO.
10.		APOLOGIES To receive any apologies for absence.	
11.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 1 December 2015.	5 - 10
12.		DECLARATION OF INTEREST To receive any declarations of interest.	
13.		SCHOOL ADMISSION ARRANGEMENTS FOR VOLUNTARY AIDED SCHOOLS AND ACADEMIES To receive and consider a report informing on consultations issued by the admission authorities for voluntary aided schools and academies.	11 - 52
14.		OFFICE OF THE SCHOOLS ADJUDICATOR ANNUAL REPORT SEPTEMBER 2014 TO AUGUST 2015 To receive and consider the annual report of the Office of the Schools Adjudicator.	53 - 128
15.		DATES OF FUTURE MEETINGS To note the proposed dates of the planned future meetings: 14 June 2016, 2 November 2016 and 11 January 2017. (Subject to approval by the Council on	

18 February 2016)

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

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**MINUTES OF A MEETING OF THE
SCHOOL ADMISSIONS FORUM
HELD ON 1 DECEMBER 2015 FROM 7.05 PM TO 8.10 PM**

Councillors

Ian Pittock

Beth Rowland

Diocesan Representatives

Parent Representatives

Phiala Mehring

Parent Governor Representative

Representatives from the Local Community

Schools Representatives

Nicci Morris

Hillside Primary School

Also Present

Sue Riddick

School Admissions Lead Officer

Luciane Bowker

Democratic Services Officer

38. ELECTION OF CHAIRMAN

RESOLVED: That David Babb be elected as Chairman of the School Admissions Forum for the remainder of the 2015/16 academic year.

39. APPOINTMENT OF VICE CHAIRMAN

RESOLVED: That Phiala Mehring be appointed as Vice Chairman of the School Admissions Forum for the remainder of the 2015/16 academic year.

40. APOLOGIES

In the absence of the Chairman, the Vice Chairman Phiala Mehring chaired the meeting.

Apologies for absence were submitted from David Babb and Patricia Cuss.

41. DECLARATION OF INTEREST

Phiala Mehring declared a personal interest relating to the Forest Academy draft proposals on the basis that she was a governor at that school.

42. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 9 June 2015 were confirmed as a correct record and signed by the Chairman. It was noted that Phiala Mehring had been present at that meeting.

43. PROPOSED ADMISSION ARRANGEMENTS FOR VOLUNTARY AIDED SCHOOLS AND ACADEMIES

The Forum received and considered the proposed admission arrangements for voluntary aided schools and academies report which was set out on pages 9-46 of the Agenda.

Sue Riddick, Lead Admissions Officer presented the report and went through the schools' consultation proposals as described below.

All Saint's CE Aided Primary School

The school had been advised by the Diocese to consult on an amendment to criterion ii and clarification relating to all other admissions on page 4 and the waiting list in particular, together with clarification to the wording relating to the two places per year group for children attending the resource with complex needs. Sue explained that the changes were not substantial. The consultation had opened on 16 November 2015 and would close on 15 January 2016.

St Teresa's Catholic Primary School

The school proposed to reduce the number of criterions from 11 to 10 by merging categories 3 and 4. This would make it fairer when offering places to practicing Catholics allowing offers to be made to those who were nearer to the school. The Diocese had also suggested changes to the practicing criteria and removed the need for the clarification on regular or irregular attendance, making the definition broader than before.

Members questioned the legality of placing '*Non-Catholic Looked After Children or Previously Looked After Children in the care of the Local Authority*' lower down in the list of criteria. Sue explained that religious schools were exempt under the Code and were permitted to consider looked after and previously looked after of the faith ahead of that of other faith criteria and then to have non-faith looked after and previously looked after children ahead of other criteria.

The consultation had opened on 4 November 2015 and would close on 16 December 2015.

Evendons Primary School

The school was consulting on the removal of criterion C relating to priority for children of a member of the Founder's team. This was no longer necessary as all members of the Founder's team had obtained a place for their children at the school. The school had also changed wording to that used by Wokingham Borough Council in its 2016/17 policy. Minor changes were proposed to clarify the administration of applications, waiting lists and appeal arrangements. Members noted that the admission number for Evendons was 50; Sue stated that this was due to the size of classrooms. The consultation had opened on 12 November 2015 and would close on 31 December 2015.

Sue stated that Oakbank was considering changes that would require consultation and it was their intention to start the process sometime in the future.

Members were informed that Earley St Peter's CE Aided Primary School and St Dominic Savio Catholic Primary School would not be consulting on any changes to their policies.

Phiala Mehring tabled a paper containing the draft proposal consultation on changes to admission from 2017 relating to the Forest Academy. The proposed changes were:

- 1) *To embed year 11 exam results into the application process for the sixth form (listed in appendix B of the documentation)*

Phiala explained that this change would make the application process for sixth form clearer and easier to understand. It was important that parents understood that there were

a minimum number of pupils required to enable the school to run any given course. Phiala stated that the school had received guidance from Sue to draw up the proposal.

2) *To increase the admissions number for years 7 to 9 from 200 to 210*

Phiala pointed out that the admission number of 200 was historical, however in view of the financial constraints that were predicted in the coming years, it would be financially beneficial to increase the admission number to 210.

3) *Altering the school's catchment*

The school proposed to extend its designated area so that any child in the Borough would be accepted to the school. The following points were made during the discussion of this point:

- Sue pointed out that the tie breaker was a substantial change which needed to be consulted upon and explained what this meant in practice;
- Sue pointed out that where *exceptional medical or social needs* was mentioned in the tie breaker, it was necessary to make it clear if this was relating to the children or the family;
- Sue suggested that the school notify the Holt in particular of the proposed changes as the admission arrangements to both schools in the past had been linked. Phiala stated that as a courtesy the Holt would be informed of the proposals;
- Sue stated that the school should be aware that there would potentially be some sensitivity with Reading and Bracknell relating to the proposed change in designated area.

Phiala welcomed Sue's input and informed that she would recommend the amendments to the school. Phiala asked for Sue's help to ensure the school was making the changes correctly.

RESOLVED That: The report be noted.

44. CONSULTATION ON 2017/18 PROPOSED ADMISSION ARRANGEMENTS FOR VOLUNTARY CONTROLLED AND COMMUNITY SCHOOLS AND CO-ORDINATED ADMISSION SCHEMES

The Forum received the consultation on 2017/2018 proposed admission arrangements for voluntary controlled and community schools and co-ordinated admission schemes report as set out on Agenda pages 47-142.

There were six proposed changes to previous year's arrangements, which were not subject to consultation as listed below.

An amendment to Criterion B to make clear that it applied to the medical and social needs of families

Sue explained that this change made it clear that it referred to family and not children.

Amendment to the residency requirements

This was to strengthen the requirements for proof of residency. Sue pointed out that rigorous checks would be made to determine the child's home address and strong evidence of special arrangements would be required.

Sue explained that there was a paragraph making it very clear that when an applicant moved to a more favourable location after the allocation, the address originally declared on the application would be used.

Sue also pointed out that applicants would be asked to declare that the address used was expected to be their place of residence beyond the date of the pupil starting school.

In response to a question, it was clarified that where a child was living in temporary accommodation such as a Bed and Breakfast, the B&B address would be used for the school admissions application process. However the child's name would not go on a waiting list until the permanent residence was found unless there was evidence to support that this arrangement was likely to be a longer term arrangement, in which case an admissions panel would be able to decide based on the evidence provided.

Clarification following the issuing of guidance by the Department of Education relating to applications from Crown Servants

Sue explained that it was unclear exactly who fell into the crown servant category and there were not many instances of school applications for families of crown servants in the Borough.

Councillor Ian Pittock pointed out that crown servants referred to MI5, MI6, Buckingham Palace and embassies; civil servants referred to other government bodies. However, it seemed that for school admission application purposes, the legislation intended the term crown servant to cover civil servants as well.

The Forum examined the paragraph about *Service Families* on page 76 of the report. It was noted that the garrison did not exist anymore so it was suggested that the wording be changed to '*army married quarters*'. The Forum also asked that references to Hazebrouck Barracks be made to reflect that this was the former Hazebrouck Barracks.

Clarification that parents will be asked to confirm annually, at the end of each academic year, whether they wish their child to remain on the waiting list for the following year

Sue stated that the wording had been strengthened and parents would be asked to reapply to the following academic year in order to continue on the waiting list. If a response was not received the child would be removed from the waiting list.

Proposal to increase the designated area of Nine Mile Ride Primary School to address the anomaly that a small area of the Borough was not currently included in the designated area of any other school

Sue stated that this issue had come to light when an application was received and it was found out that the address did not have a designated school attached to it. Nine Mile Ride School had been consulted and was in agreement to amend its designated area to include this small area. It was the Local Authority's intention that every area of the Borough belonged to a designated school area.

The inclusion of further information relating to places for two year olds into the F1 policy

New rules included the entitlement of 15 hours of childcare per week. Sue pointed out that care providers were not allowed to take children before 7am or after 10pm.

Beth Rowland asked that the wording on the first paragraph on page 99 be changed from *'turn two'* to *'become two'*.

45. DATES OF FUTURE MEETINGS AND FORWARD PROGRAMME

The Forum noted that the next meeting would be on 27 January 2016.

The Forum was informed that the admissions arrangements would be submitted to Executive on 18 February 2016.

46. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Luciane Bowker, Democratic Services Officer suggested the Forum reviewed its membership in view of the current number of vacancies.

The following representations were currently vacant:

- one parent governor representative
- two local community representatives
- one primary school representative

It was agreed that the Forum should also include:

- one academy representative
- one junior representative;
- one free school representative

RESOLVED That: the relevant officers would be contacted to recruit more members to the Forum.

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TITLE	Admission Arrangements for Voluntary Aided Schools and Academies
FOR CONSIDERATION BY	School Admissions Forum on 27 January 2016
WARD	None Specific
STRATEGIC DIRECTOR	Judith Ramsden, Director for Children's Services

SUMMARY

This report informs the Forum of consultations issued by the admissions authorities for voluntary aided schools and Academies where known.

RECOMMENDATIONS

That the Forum considers the arrangements and whether it wishes to respond to these consultations.

SUPPORTING INFORMATION

Four school's proposed arrangements were brought to the Forum's meeting on 1 December 2015.

All Saint's CE Aided Primary School

St Teresa's Catholic Primary School

Evendons Primary School

The Forest School (distributed at the meeting)

The following schools commenced consultation on the proposed admission arrangements for 2017/2018. Their consultations are attached to this report and proposed changes include:

St Sebastian's CE Aided Primary School – deadline 31 January 2016

The school is proposing simplification of its oversubscription criteria by reducing the number of criteria from 9 to 7, removing the criterion relating to living in the ecclesiastical parish and whose parent worships at a Christian church and the criterion relating to siblings whose parents worship at St Sebastian's Church creating a general sibling criterion (4). The school has revised the wording of its medical and social grounds criterion (2) and promoted its denominational criterion for parental worship at St Sebastian's Church (3) above that of siblings at the school (4). Further changes include a revision to the wording for summer born children requesting out of normal age group admission, its ethos and split residency.

The Piggott School – deadline 20 January 2016

The Academy is proposing an additional criterion:

C – The children of staff at The Piggott School where that member of staff is the legal parent and guardian of that child, has a permanent contract to work at the school and where that member of staff has been employed at the school for 2 or more years at the time of application or the member of staff is recruited to fill a vacant post within a demonstrable skill shortage.

This criterion is placed after – siblings inside designated area and before children living in designated area.

Amendment has also been made to summer born children requesting to work out of normal age group.

The Oakbank School – deadline 31 January 2016

The Academy is proposing changes to its arrangements to bring it in line with CfBT School's Trust school admission arrangements. This includes a reduction of in the number of oversubscription criterion from six to four, including the removal of criteria relating to children of Founders and staff at the school and the removal of the school's designated area with places offered according to the radial distance between home and school.

Schools not consulting

Admission authorities must consult at least once every 7 years. The following schools are not consulting on any changes and would be expected to determine their arrangements by 28 February 2016 making amendments only as required by the School Admissions Code or to update dates or processes and forward to the local authority before 15 March 2016:

Earley St Peter's CE Aided Primary School – 3rd year without consultation

Finchampstead CE Aided Primary School – 3rd year without consultation

Grazeley Parochial CE Aided Primary School – 3rd year without consultation

Sonning CE Aided Primary School – 4th year without consultation – determined 1 December 2015

Shinfield St Mary's CE Aided Junior School – 5th year without consultation

St Dominic Savio Catholic Primary School – 2nd year without consultation – determined 11 January 2016

Wheatfield Primary School – 1st year without consultation

Windmill Primary School – 2nd year without consultation

The Holt School – 2nd year without consultation

Maiden Erlegh School – 1st year without consultation

Waingels College – 1st year without consultation

List of Background Papers

School Admissions Code and School Admissions Appeals Codes and relevant regulations

Held by Sue Riddick	Service Children's Services
Telephone No 974 6113	Email sue.riddick@wokingham.gov.uk
Date 18 January 2016	Version No. 1.0

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Author	Claire Wilkins	Business unit	CfBT Schools Trust (CST)
Owner	Linda Sujeewon	Intended target group	All Head Teachers, Bursars, Business Managers, Facilities Managers and Responsible Persons
Issued	September 2015	Next review due	August 2016

This policy is applicable to all CST Schools Trust (CST) schools and academies.

Policy: Admissions

CfBT Schools Trust requires all of its schools to have in place an up to date Admissions Policy. We have provided a template admission policy together with:

- Guidance on Admissions
- An admissions flowchart – sets out the admission process for admission applications, offers and appeals
- Admissions timeline – sets out the times in a year for the required admission processes (i.e. consultation, determination, publishing, deadlines)
- Admissions checklist – self evaluation tool for schools
- Admission template letters

Guidance on Admissions

Academies are required to provide education for pupils of different abilities and may not select pupils by ability (unless the academy was previously a maintained grammar school).

Academies are required to provide education for pupils wholly or mainly drawn from the area in which the academy is situated and are not allowed to charge for admission.

Academies are required to participate in local authority co-ordination of admissions processes and the local authority's Fair Access Protocol. Academies are required to comply with any Direction from the Secretary of State to admit a pupil to the academy, or to amend their admission arrangements if they fail to comply with the Admissions Code.

The Admissions Code

All schools are required by their funding agreements to comply with the statutory **Admissions Code** (the Code), the Schools Admissions Appeals Code and the law relating to admissions. See this link for the latest Code:

Schools Admissions Code 2014 Gov.UK-DFE (adobe pdf file)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admission_Code_2014_-_19Dec.pdf

The current version of the code is dated December 2014

The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and academies are allocated and offered in an open and fair way. The Code has the force of law, and where the words '**must**' or '**must not**' are used, these represent a mandatory requirement.

Schools should ensure that their Admissions Policy complies with this latest version of the Code which includes changes from the previous Code. The main changes are:

- Priority can be given to children eligible for pupil premium and services premium
- Priority can be given to nursery children eligible pupil and service premiums
- Changes to the Admissions timetable
- the school must consider requests for summer born pupils to be admitted to Reception rather than Y1 at the age of five.

The Code should be the first port of call for schools with any query as to admissions.

Responsibilities

For all Trust schools the Academy Trust (CST) is the '**admissions authority**', as opposed to the Local Authority. In practice, CST has delegated responsibility to each Local Governing Body (Local Governing Body or LGB) who will act as the admissions authority on behalf of CST, however, where changes to the admissions arrangements, including an increase or decrease of PAN, are required, CST must be consulted who will provide authorisation to proceed.

Admissions Policy

Each school must liaise closely with its local authority and must allow the local authority to collate and publish the admissions arrangements. Whilst arrangements for individual schools **must** be set in the context of local circumstances, attached to these guidelines is an exemplar Admissions Policy developed by one of the Trust schools, in line with the latest version of the Code. **The text in GREEN is adaptable at the discretion of the institution to fit the local context.**

In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

Overall principles behind setting arrangements

In summary, the process operates as follows:

- a) Admission arrangements are determined by admission authorities. All schools **must** have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school.

The Code regulates how the admission arrangements must provide for children admitted and in what priority. Schools must ensure their admissions arrangements and oversubscription criteria comply with the latest version of the Code.

The Code states that schools must include a clear and effective tie-breaker to decide between two applications that cannot otherwise be separated (for example a specific distance from the school)

b) Admission authorities **must** set ('determine') admission arrangements annually.

As part of determining the admission arrangements, the admission authority must set an admission number for each relevant age group. This is known as the Published Admission Number (PAN). The Local Governing Body, as 'an own admission authority' is not required to consult on its PAN where it proposes either to increase or keep the same PAN. It is necessary however for the admission authority to consult on any proposal to decrease the PAN.

If the admission authority decides to increase the PAN, the school must notify the local authority of this and should also include this information on the school's website. The school is permitted to admit above its PAN in-year and if this becomes possible, the local authority should be informed in good time.

c) Where changes are proposed to admission arrangements, other than changes to the PAN or changes necessary by mandatory provisions of the new Code or regulations, the admission authority **must** first publicly consult on those arrangements. If no changes are made to admission arrangements, they **must** be consulted on at least every 7 years. Consultation **must** be for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** of the year before those arrangements are to apply.

Admission arrangements must be finally approved by the Governors by 28 February every year even if they have not changed from the previous year and a consultation has not been necessary. Final arrangements should be sent to the local authority and **published on the school's website by 15 March**, displaying them for the whole offer year. Arrangements can be objected to (by any person or body) and referred to the Schools Adjudicator by **15 May**. Any decision of the Adjudicator **must** be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.

d) In the normal admissions round parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools. If a school is undersubscribed, any parent that applies **must** be offered a place. When oversubscribed, a school's admission authority **must** rank applications in order against its published oversubscription criteria and send that list back to the local authority.

e) All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about **1 March** (known as National Offer Day) in the year in which the child will be admitted. For primary schools, the offer is made on **16 April**, in the year in which the child will be admitted or in both instances if the offer day falls on a weekend or bank holiday, the next working day.

f) Parents, and in some circumstances children, have the right to appeal against an admission authority's decision to refuse admission. The admission authority **must** set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals.

Admission Appeals

Academies are required to offer all pupils refused admission the right to an appeal in front of an independent appeal panel. Academies are responsible for setting up the appeal and must do so in accordance with the **School Admissions Appeals Code**.

[Schools Admission Appeals Code, GOV.UK-DFE \(Adobe pdf file\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275897/school_admission_appeals_code_1_february_2012.pdf)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275897/school_admission_appeals_code_1_february_2012.pdf

The current version was released in February 2012 and remains in force. The code sets out the required timelines and processes for running an admission appeal.

CST have delegated responsibility for setting up Independent Appeal Panels to each Local Governing Body (LGB) - CST does not currently have a central system for setting these panels up.

Most schools buy back this service from their Local Authority- this appears to be the cheapest option although the cost ranges from Local Authority to Local Authority. Schools can either ask their own Local Authority or possibly a neighbouring Local Authority (who may be seen as more independent). The Local Authority should be able to correspond with the parents on the school's behalf as well as providing appropriately trained and independent Panel members. We are aware some Local Authorities are better than others in providing this service so it is worth asking to see their template letters (to check they are compliant with the School Admissions Appeals Code requirements) and ask about their processes before you enter into a contract.

Another option includes buying this service from a Clerking Company. Some of our schools have used [Clerks Associates](#) to run their appeals and have given positive feedback about this company. They quote £200 plus VAT for clerking services only (including travel, attending the hearing, decision letter, postage) and approximately £450 plus VAT for a full appeal service (including paperwork, appointing panel, postage, clerking, producing decision letter, all panel expenses).

It is possible for schools to arrange their own appeals hearing, but this will involve finding and training independent panel members which can be quite tricky.

Whichever option chosen, schools will need to make sure that the School Admissions Appeals Code is followed at all times (it is quite prescriptive).

Further information on admissions

DFE page on admissions including an Academy Admissions Factsheet:

<http://www.education.gov.uk/schools/leadership/typesofschools/academies/open/b00219097/academyfactsheets/academyadmissionsfactsheet> (Is this still relevant-check)

EFA page on admissions for academies, including a checklist:

<http://www.education.gov.uk/aboutdfe/executiveagencies/efa/efafundingfinance/b00215271/academy-admissions-complaints/admissions-checklist>

CfBT Schools Trust School Admissions Arrangements Policy

OAKBANK SCHOOL ADMISSIONS POLICY for the academic year 2017-18

This document sets out the admission arrangements for Oakbank School. The policy links to Annex 1 of the Supplemental Funding Agreement between **Oakbank** School and the Secretary of State. Any changes to the arrangements set out in this document must be approved in advance by the Secretary of State.

The School will comply with all relevant provisions of the statutory codes of practice (the School Admissions Code and the School Admission Appeals Code -) as they apply at any given time to maintained schools. Reference in the codes to admission authorities shall be deemed to be references to the Academic Council (Governing Body) acting on behalf of CST Schools Trust. **Oakbank** School will take part in the Admissions Forum set up by **Wokingham** Local Authority and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by **Wokingham Borough Council**.

3. Notwithstanding these arrangements, the Secretary of State may direct **Oakbank** School to admit a named student to **Oakbank** School on application from a Local Authority. Before doing so the Secretary of State will consult the School.

ADMISSION ARRANGEMENTS APPROVED BY THE SECRETARY OF STATE

The admission arrangements for **Oakbank** School for the year 2015/2016 and, subject to any changes approved by the Secretary of State, for subsequent years, are:

- a) **Oakbank** School has an agreed admission number of 112 pupils. **Oakbank** School will accordingly admit 112 pupils in the relevant age group each year if sufficient applications are received.
- b) **Oakbank** School may set a higher admission number as its Published Admission Number for any specific year. Before setting an admission number higher than its agreed admission number, **Oakbank** School will inform **Wokingham** Local Authority and reference this change on the school's website.

Students will not be admitted above the Published Admission Number unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

Process of application

Applications for places at the school will be made in accordance with **Wokingham Borough Council's** co-ordinated admission arrangements. Parents must apply by completing and parents their home local authority common application form. The timetable for applications and information about acceptances will be as described in **Wokingham Borough Council's** parent's guide to school admissions.

Please note that, to be considered for admission during the normal admission round – deadline 31 October 2016 (and during the late admission period (, all applicants must complete and submit their home Local Authority's common application form, including **Oakbank School as one of their preferences. Co-ordination of the normal admission round (entry to year 7 in September 2017) ends on 31 August 2017.**

. Where an applicant applies from **September 2017 onwards** for a place for admission between September 2017 and end of Summer term 2018, **this will be an 'in-year' admission and parents must apply to the school directly for a place.** Parents can obtain information and an application from the LA.

– The School will publish in its prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2016 for admission in September 2017). This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school.

Consideration of applications

Oakbank School will consider all applications for places. Where fewer than **112** applications are received, **the School will offer places to all those who have applied.**

Procedures where **Oakbank** School is oversubscribed

If the school is oversubscribed, after the admission of pupils with an Education, Health and Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the criteria set out below, in order:

i) A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is (

ii) **Children for whom a particular school is appropriate on exceptional medical grounds.** Such applications will be considered under this criterion only if they are supported by an attached medical statement from a doctor. This must demonstrate that there is a very specific connection between the child's medical need and the school requested. The Governors of **Oakbank** School will make the decision related to such applications.

iii) **Children with a sibling attending the school at the time of application who is expected to be attending the school when the child will enter the school.** 'Sibling' is defined in these arrangements as **half, full, step, adoptive or foster brother or sister living predominantly in the same home as the child...**

iv) **Other children by distance from the school,** with priority for admission given to children who live nearest to the school as measured by **computer software based on Ordnance Survey and postal address data.** The software measures using public roads and footpaths adopted and recorded by Wokingham Council's Highways Team. When using roads for measurement purposes the software measures along the middle of the road. It starts from a point in the footprint of the property provided as the child's address and continues by the shortest available route to the nearest of the school gates which is used by pupils to enter the school grounds. Blocks of flats are treated as one address. In blocks of flats, priority will normally be given to the lowest flat number. Addresses in private roads will measure from the footprint of the property, along the middle of the private road leading to the public road/footpath as adopted and recorded by [Name] Highways Team. Not used are routes using common land, open spaces, public parks, subways or footpaths not adopted by the Highways team.

Where a child lives with both separated parents, the home that the child lives in for the most time per week will be counted. Where the child lives in both homes for equal amounts of time, the home nearest to the school will be counted as the child's home.

Tie-break: In the case of a tie-break being necessary, children of multiple births (twins, triplets etc) will be given priority and then if a further tie-break is necessary, random allocation will be used. A person independent of the school will be asked to supervise any random allocation.

Operation of waiting lists

Subject to any provisions regarding waiting lists in **Wokingham** Borough Council's co-ordinated admission scheme, the School will operate a waiting list. Where in any year **Oakbank** School receives more applications for places than there are places available, a waiting list will operate. This will be maintained by **Oakbank** School and it will be open to any parent to ask for his or her child's name to be placed on the waiting list, following an unsuccessful application.

Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 7 of this policy. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

Arrangements for appeals panels

Parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of **Oakbank** School. The arrangements for Appeals will be in line with the Code on School Admission Appeals published by the Department for Education. The determination of the Appeal Panel will be made in accordance with the Code on School Admission Appeals and is binding on all parties. The School will prepare guidance for parents about how the appeals process will work and provide a named contact who can answer any enquiries they may have about the process.

Arrangements for admitting students to other year groups, including to replace any students who have left **Oakbank** School

Subject to any provisions in the **Wokingham** Local Authority's co-ordinated admission arrangements relating to applications submitted for years other than the normal year of entry, the School must consider all such applications and if the year group applied for has a place available, admit the child. If more applications are received than there are places available, our oversubscription criteria will apply. Parents of children whose application is turned down are entitled to appeal.

Signed: _____

Date: _____

Last updated:

Review date:

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THE PIGGOTT CHURCH OF ENGLAND SCHOOL ADMISSIONS ARRANGEMENTS FOR ACADEMIC YEAR 2017-18

PREAMBLE

The vision of The Piggott School is to encourage the highest achievement in all its students, through inspirational teaching, opportunities and learning. To this end it has five main aims, namely to:

1. Develop enquiring minds which are capable of independent thought
2. Promote the value of lifelong learning
3. Be open to new ideas
4. Provide a caring environment based on Christian values
5. Encourage respect and tolerance

The Governors determined the admission arrangements in accordance with the applicable legislation and the school Admissions Code introduced and after consultation with the authorities of the Oxford Diocese and the relevant local admissions authorities. They conform to the needs of the Wokingham Borough Council's coordinated admissions arrangements and reflect the fact that, as a result of the amendments to the school's Funding Agreement made on June 12 2013 and the opening of Charvil Piggott Primary School, The Piggott School became an all-through setting for pupils aged 4-18years from September 2013.

Children are normally admitted to school in the Early Years Foundation Stage 2 (EYFS2)/Reception, Year 7 and Year 12. Children will be admitted to other years when spaces are available. They will usually only be admitted to the year group normal for their age: i.e. to EYFS2 if they have had their fourth birthday in the previous school year, Year 7 if they had their eleventh birthday in the previous school year, to Year 8 if they had their twelfth birthday in the previous school year and so on. For exceptions to this see Part 5 below.

PART 1 – INITIAL ADMISSIONS TO RECEPTION (EYFS2)

ADMISSION NUMBER

The Governors have determined an admission number for this cohort of 30.

MAKING AN APPLICATION

At Charvil Piggott, pupils are normally admitted at the beginning of the school year (1 September – 31 August) in which they reach their fifth birthday. Parents whose children were born between 1 September 2012 and 31 August 2013 may apply for them to be admitted to the Reception Year in September 2017. There are 30 places (the published admission number) available. Our policy is normally not to offer admission in September 2017 to children who were born on or after 1 September 2013. Full details are available in the relevant LA Admissions Guide. Parents are advised to read the Wokingham LA Admissions Guide.

Parents of a child whose fifth birthday falls between 1 September 2017 and 31 March 2018 may request that their child is not admitted until later in the school year 2017/18 (no later than the term [using three term year] after the child's fifth birthday, when s/he reaches compulsory school age.) The school will hold any deferred place for the child, although, in the majority of cases, we find that children benefit from starting at the beginning of the school year, rather than part way through it.

For children whose fifth birthday falls between 1 April 2018 and 31 August 2018 (summer-born children), parents who do not wish them to start school in school year 2017-18, but to be admitted to the Reception Year in September 2018, should proceed as follows. They should apply at the usual time for a place in September 2017 together with a written request that the child is admitted outside his or her normal age group to the Reception year in September 2018. NB parents would need to provide strong supporting reasons for seeking a place outside the normal age group and should discuss the position with the head teacher as early as possible. If their request is agreed, and this should be clear before the national offer day, their application for the normal age group may be withdrawn before any place is offered and they should reapply in the normal way (no later than 15 January 2018) for a Reception place in September 2018. If their request is refused, the parents must decide whether to wait for any offer of a place in September 2017 (NB it will still be subject to the over-subscription criteria below) or to withdraw their application and apply in the second half of the summer term 2018 for a Year 1 place in September 2018. Parents should be aware that the Year 1 group may have no vacancies as it could be full with children transferring from the 2017-18 Reception Year group.

If parents choose to defer their child's admission, or take up the place part-time before their child has reached compulsory school age, they must discuss this with the Head Teacher to agree.

Parents wishing to apply for the Reception [Foundation] Year in September 2017 must complete the common application form provided by their home local authority (the home LA). The home LA is the LA in whose area the parents live at the time of the application. The form must be returned to that LA no later than 14 January 2017. Applications received after this date will normally only be considered after all those received on or before the cut-off date. Offers and refusals of places will be posted by the home LA on 18 April 2017.

LATE APPLICATIONS

If an application is received after the deadline, this will be considered 'late'. Late applications will be considered after the allocation of places and notified after the main allocation date, unless exceptional circumstances apply. Exceptional circumstances will apply when the application is received before the date parents are notified of places and there is a valid reason that the application could not have been made by the due date, e.g. because of hospitalisation of a parent or a family has just moved into the area. In such instances, evidence will be required.

OVER – SUBSCRIPTION CRITERIA

In the event of there being a greater demand for admission than there are places available, **a child with a statement of special educational need (or Educational Health Care Plan – EHC), which names The Charvil Piggott Primary School will always be admitted.** Once places have been offered to these children, the following criteria will be applied in the order set out below:

- A. All looked after children or children who were previously looked after: By a "looked-after child" we mean one in the care of a local authority or being provided with accommodation by a local authority in the exercise of its social services function. An adoption order is one made under the Adoption Act 1976 (Section 12) or the Adoption and Children Act 2002 (Section 46). A 'child arrangements order' is one settling the arrangements to be made as to the person with whom the child is to live (Children Act 1989, Section 8, as amended by the Children and Families Act 2014, Section 14). A 'special guardianship order' is one appointing one or more individuals to be a child's special guardian/s (Children Act 1989, Section 14A). Applications under this criterion must be accompanied by evidence to show that the child is looked after or was previously looked after (e.g. a copy of the adoption, child arrangements or special guardianship order).
- B. Pupils whose permanent home address is in the school's designated area and who have a sibling living at the same address who already attends the school (in any Key Stage, i.e. EYFS2 (Reception year) – KS5) by the deadline for applications. (For the definition of sibling see below);
- C. The children of staff at The Piggott School where that member of staff is the legal parent and guardian of that child, has a permanent contract to work at the school and where that member of staff has been employed at the school for 2 or more years at the time of application for the place or the member of staff is recruited to fill a vacant post within a demonstrable skill shortage.
- D. Pupils whose permanent home address is in the school's designated area but who do not fall into criterion B;
- E. Pupils whose permanent home address is not in the school's designated area but who would otherwise fall into criterion B;
- F. (Secondary admissions only) Pupils who attend one of the linked primary schools, who have not been admitted in an earlier criteria namely The Colleton, Crazies Hill CE, Knowl Hill CE, St Nicholas CE and Sonning CE (Aided) primary schools and Polehampton CE and Robert Piggott CE junior schools;
- G. Pupils whose parents have chosen the school on denominational grounds; an application will only be considered under this criterion if it is accompanied by a fully completed copy of the school's denominational certificate; for a pupil to meet this criterion a parent must have frequently attended for worship at a church within the Christian faith that is a member of the Churches Together in Britain and Ireland or The Evangelical Alliance over the year immediately preceding the date of

application (frequent in this context means at least twice a month for at least eight months a year);
and

H. All other pupils.

Children of multiple births are a permitted exception to the Infant Class Size rules and all siblings of multiple births (in all year groups) will be admitted even if this might result in the admission number being exceeded. This exception does not extend to children born in the same school year but who are not from a multiple birth. In this instance, the place will be allocated by the drawing of lots carried out by Wokingham Borough Council. In such instances, parents will be offered the place and will need to decide whether they wish their children to be split or consider placement together at an alternative school after allocation.

The designated area referred to above is that defined by the school and held electronically by WBC. It may be viewed on its website. The definition of sibling is given below.

If the distances between the home address and School, as defined above, of two or more unconnected applications which fall in the same criterion are identical, then they will be placed in order by the drawing of lots.

Applications are processed on the basis of the pupil's single permanent home address as defined and determined by the LA. Evidence to support the validity of the claimed home address will be required by the LA (refer to the LA's published guide).

APPEALS

Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group. Those who wish to appeal are requested to do so within twenty school days of being notified that their application has been unsuccessful. Only one appeal from an applicant will be heard in any one school year, unless there has been a significant change in circumstances. The decision of the independent appeal panel is binding on the school.

PART 2 – INITIAL ADMISSIONS TO YEAR SEVEN

ADMISSION NUMBER

The Governors have determined an admission number for this cohort of 203.

MAKING AN APPLICATION

Applications to Academies must be in accordance with a coordinated scheme determined by the LA within which the applicant resides. It is to that LA that applications for a place at The Piggott School should be sent and that LA will advise the applicant of the result of their application. These schemes include procedures for the LA to pass on the application to the admission authorities for the schools concerned when it is not itself that authority. The governing body is the admission authority for The Piggott School and will receive and consider any applications made for a place at the school. The outcome of that consideration will be communicated to the applicant by, and in accordance with the procedures of, the relevant LA.

Parents wishing to apply for a Year 7 place in September 2017 must complete the common application form provided by their home local authority (the home LA). The home LA is the LA in whose area the parents live at the time of the application. The form must be returned to that LA no later than 31 October 2016. Applications received after this date will normally only be considered after all those received on or before the cut-off date. Offers and refusals of places will be posted by the home LA on 1 March 2017.

If the application is made on denominational grounds (see below), the Governors will also require completion of their denominational certificate, which is available from the school or Wokingham Borough Council. This certificate should be returned directly to the school.

LATE APPLICATIONS

If an application is received after the deadline, this will be considered 'late'. Late applications will be considered after the allocation of places and notified after the main allocation date, unless exceptional circumstances apply. Exceptional circumstances will apply when the application is received before the date parents are notified of places and there is a valid reason that the application could not have been made by the due date, e.g. because of hospitalisation of a parent or a family has just moved into the area. In such instances, evidence will be required.

CRITERIA FOR ADMISSION

The Governors will admit all applicants to Reception or Year 7 if it is possible to do so without exceeding the admission number determined for the year. Should there be more applicants than this, places will be allocated to pupils who fall into the following criteria in order of priority until the number of places allocated is equal to the admission number: that is, places will be offered first to those with a statement or EHC plan then those who are in criterion A, then, to the extent that places remain available, to those in criterion B and so on. Within each criterion applicants will be ordered according to the distance they live from the school site in Wargrave, measured as a straight line between the Land Gazetteer address points for the home address and the school, using WBC's computerized mapping system.

The Governors are required to admit all pupils with statements of special educational needs (or Educational Health and Care Plan – EHC), which names The Piggott School in the statement.

In addition, children attending The Charvil Piggott Primary School automatically transfer into Year 7 to the Wargrave Piggott Secondary School.

To the extent that the Governors are aware of any such pupils in either of the above categories to be admitted to Year 7 in 2017-18 at the time of allocating places to other applicants, the number of places allocated to others will be reduced so that the total number of admissions will not exceed the determined admission number of 203.

The criteria referred to above are found above on pages 2 – 4.

ACCEPTING OR DECLINING THE OFFER OF A PLACE

Parents are required to accept or decline the allocated place using the form sent with the allocation letter. The form must be returned to the LA within their stated time limit, this is normally two weeks from the date of the offer letter. If a form is not received, there will be one further written reminder and failure to respond may result in the place being withdrawn. Parents are requested to advise the school at any stage, if they are not accepting the place for any reason.

APPEALS

Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group. Those who wish to appeal are requested to do so within twenty school days of being notified that their application has been unsuccessful. Only one appeal from an applicant will be heard in any one school year, unless there has been a significant change in circumstances. The decision of the independent appeal panel is binding on the school.

WAITING LIST

The LA will maintain a waiting list until 31st December, after this date the school will maintain a waiting list for unsuccessful applicants. Pupils on the list will be placed in order according to the criteria used in considering the original applications. Places, if they become available, will be offered to pupils from this list in strict order. Parents who are unsuccessful will be asked if they wish their pupil to be placed on the waiting list for their year and will be advised, on request, where the pupil stands in the list. It should be remembered that a pupil's position on the list may rise and fall as others are added or removed from the list. Parents are requested to notify the Admissions Administrator if at any time they no longer wish their pupil to be considered for a place at the school.

Children admitted under the Wokingham Fair Access Protocol will take priority over children on the Waiting List.

PART 3 – IN YEAR ADMISSIONS

INTRODUCTION

All applications for admission to the school outside the normal admissions round, other than applications for the Sixth Form, will be treated as in-year applications.

PROCESS

Parents wishing to apply for a place at the school should obtain a copy of the common application form from Wokingham Borough Council. This applies to pupils living in other Local Authorities, where these Authorities are not using the in-year coordinated scheme. This should be completed and returned to the Council in accordance with its instructions. The Council will notify the parent of the outcome of the application once the school has advised them of the decision made by the admissions committee.

If a pupil is applying on denominational grounds when moving into the area, a certificate signed by their previous church will be accepted.

If there are pupils on a waiting list for the year into which the applicant is seeking admission, then the pupil will be placed on that waiting list in a position determined by application of the criteria used in determining initial admissions to that year group. Pupils will be admitted from the waiting list in order as space becomes available.

If there is no pupil on the waiting list for the year into which the applicant is seeking admission, then the Governors will determine whether a place can be offered to the applicant. If at the time of this determination the school has applications from more than one pupil for admission to the same year group,

all the applications will be ordered according to the criteria used in determining initial admissions and will be considered in that order.

Unless they are statutorily obliged to admit the applicant or the application is covered by WBC's Fair Access Protocols, Governors will, when reaching a decision on an application for admission to a full year group, normally refuse a place. Unsuccessful applicants will be placed on the waiting list if they confirm that they wish to be.

APPEALS Anyone whose application is unsuccessful may appeal. The process is as described above for Initial Admissions.

PART 4 – ADMISSION TO THE SIXTH FORM

Students wishing to join The Piggott School Sixth Form need to meet the following requirements, depending on which pathway has been chosen. The pathway required is available subject to the Point Score being achieved at GCSE on their **best 8 GCSEs**, together with individual subject requirements.

A*	A	B	C	D	E	F	G
8	7	6	5	4	3	2	1

Or the points scores for new style GCSEs in English and Maths.

A level Pathway (level 3)

- Students have the opportunity to study up to 4 A levels throughout the sixth form, with a minimum of 3 A levels as a requirement.
- A student wishing to take 3 A levels must achieve a best 8 point score at GCSE of 45 points or more.
- The minimum GCSE grade for English Language and Mathematics is a C grade. This grade requirement could be higher, depending on the subject choice.
- Each subject has specific entry requirements based on particular GCSE grades and these also need to be achieved to access the course. Details of such requirements are to be found on the school's website.

Vocational Pathway (level 3)

- A student wishing to take the level 3 Vocational option must achieve a best 8 point score at GCSE of 38 points or more.
- Students are required to take the equivalent of 3 Vocational subjects throughout the sixth form.
- Each subject has specific entry requirements based on particular GCSE grades and these also need to be achieved to access the course.
- The minimum GCSE grade for English Language and Mathematics is a D grade. This grade requirement could be higher, depending on the subject choice.
- All students will need to follow an English or Mathematics course equivalent to GCSE if they have not achieved a C grade in either subject at GCSE.
- It is also possible to do 2 Vocational courses and 1 A level course. Entry requirements for each subject will still need to be achieved.

VRQ Coaching (level 3)

- A student wishing to take the VRQ pathway must achieve a best 8 point score at GCSE of 36 points or more.
- The minimum GCSE grade for English and Mathematics is a D grade. You will continue to study GCSE English Language or Mathematics until you achieve GCSE C grade or better in both of these subjects.
- You will also study Level 3 Btec Sport.
- Each student must demonstrate an aptitude for coaching.

The school has set an admission number of 20 external candidates for the Sixth Form. All pupils attending the school at the end of Year 11 will be offered places in the Sixth Form provided that they meet the minimum requirements for the relevant pathway and courses. Applications from those not attending the school will also be accepted. All those offered places will be offered places on the courses they wish to follow subject to their meeting the specified academic requirements for those courses and there being places available. When students are offered a place at the school but a course they wish to pursue is full, they will be offered an alternative course.

MAKING AN APPLICATION

Those wishing to apply for a place in the Sixth Form starting in Year 12 in September 2017 should complete the school's Sixth Form Application form, obtainable on the school's web site or from the Admissions Administrator. This form must be completed and returned by 1st December 2016. Pupils in Year 11 already attending the school will be given a copy of the form shortly before it must be returned.

Meetings may be arranged with students and their parents to discuss the options open to them and to help the student decide on the suitability of particular courses. Such meetings play no part in the allocation of places, which are determined solely by the application of the criteria.

LATE APPLICATIONS

If an application is received after the deadline, this will be considered 'late'. Late applications will be considered after the allocation of places and notified after the main allocation date, unless exceptional circumstances apply. Exceptional circumstances will apply when the application is received before the date parents are notified of places and there is a valid reason that the application could not have been made by the due date, e.g. because of hospitalisation of a parent or a family has just moved into the area. In such instances, evidence will be required.

CRITERIA FOR ADMISSION TO THE SCHOOL

The Governors will admit all applicants for whom there are places available on courses they wish to pursue if it is possible to do so and have satisfied the entrance requirements above. The Governors will, in any case, admit all applicants who are already at the school and 20 external applicants, if there are sufficient applications.

Should there be more external applicants than this, places will be allocated to pupils who fall into the following criteria in order of priority until the number of places allocated is equal to the admission number: that is, places will be offered first to those who are in criterion A, then, to the extent that places remain available, to those in criterion B and so on. Within each criterion applicants will be ordered according to the distance they live from the school measured as a straight line between the Land Gazetteer address points for the home address and the school, using the WBC's computerized mapping system.

The Governors are required to admit all students with statements of special educational (Education, Health and Care Plan) needs that name The Piggott School in the statement; these students will be admitted first.

The criteria referred to above are:

- A Looked after and previously looked after children; for full definition, see page 2.
- B All other external applicants.

CRITERIA FOR ADMISSION ON COURSES

All students who are offered places at the school will be offered places on the courses they wish to follow, subject to their achieving the specified academic results, as quoted in the Sixth Form brochure, and there being sufficient spaces. If there are insufficient spaces on any course for all those students who have expressed an interest and who have the appropriate qualifications, then places will be allocated first to statemented children and then to others applying ³¹the criteria below. Applicants who are unsuccessful at obtaining places on a particular course will be offered a place on an alternative course.

The criteria to be used for deciding places on oversubscribed courses are:

- A Pupils already attending the school at the time of application;
- B Relevant and previously looked after children; see page 2 for full definition.
- C All other applicants.

These criteria will be applied in precisely the same manner as the criteria for admission are applied.

Offers of places to external students will be subject to the school confirming date of birth or right of abode by examination of the birth certificate and/or student's passport, as appropriate.

Parents will be asked to declare that the address used in the application will be their place of residence beyond the date of the student starting at the school; the offer of a place may be withdrawn if false or misleading information is given. Supporting evidence of this declaration may be required in the case of there being more applications than can be accepted.

ACCEPTING OR DECLINING THE OFFER OF A PLACE

Places are offered on the understanding that there is a commitment to meet the academic requirements of the course.

Parents are required to accept or decline the allocated place using the form sent with the allocation letter.

The form must be returned to the school within three weeks from the date of the offer letter. If a form is not received, there will be one further written reminder and failure to respond may result in the place being withdrawn.

Parents are requested to advise the school at any stage, if they are not accepting the place for any reason.

APPEALS

Anyone whose application is unsuccessful may appeal. The process is as described above for Initial Admissions to Year 7.

The Piggott School ensures that the independent appeal panel is trained to act in accordance with all relevant provisions of the School Admissions Appeals Code published by the Department for Education. The Code can be found online. If, after an appeal, an appellant is concerned that the appeal did not comply with the Appeals Code or was set up wrongly, and that this affected the outcome of the appeal, a complaint can be made to the Education Funding Agency (EFA). The EFA will investigate the complaint on behalf of the Secretary of State.

If the EFA finds that the appeal arrangements have breached the Code, The Piggott School may be required to establish a fresh appeal to hear the case again if EFA finds that such a breach affected the outcome of the appeal.

Complaints to the EFA about the appeal panel **process** (not the **outcome**) should be submitted by sending a completed complaint form by email to academyquestions@efa.education.gov.uk or by post to the Admission Appeal Complaints team at the Education Funding Agency. The EFA's Procedure for dealing with complaints about the maladministration of independent appeal panels for admission to academies is available to download (see page 13).

Contact details available on page 12.

PART 5 – INFORMATION

OUT-OF-AGE ADMISSIONS

Requests from parents for places outside a normal age group will be considered carefully e.g. for those who have missed education due to ill health. Each case will be considered on its own merits and circumstances. However, such admissions will not normally be agreed without a consensus that to do so would be in the pupil's interests. The governors will ask relevant professionals for their opinion on the case. Those refused places outside the normal age group will be informed of their statutory right to appeal.

SIBLINGS

By sibling we mean a brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent's/carer's partner where the child for whom the school place is sought is living in the same family unit at the same address as that sibling. It is helpful if parents make it clear on the application form where the sibling has a different family name. Where there is more than one sibling at the school, only the youngest should be listed on the application form.

PARENT

When used in this document or the associated application forms, parent means any person who has parental responsibility for or is the legal guardian of the pupil.

A child who is above statutory school age may apply for a place in their own right. Children not above statutory school age may apply in their own right for entry to the Sixth Form (i.e children working ahead of normal year). When a child, with the right to do so, applies in their own right, as necessary references to parent should be read as references to the child.

LA

In this document references to LA refer to the local authority within which the applicant resides. Applications are made to that authority and it is that authority which will notify applicants of the outcome of their application for all applicants.

DRAWING OF LOTS

When it is necessary, in accordance with this document, for the allocation of a place to be determined by the drawing of lots, the draw will be carried out by WBC in the manner prescribed for the drawing of lots to determine the allocation of places at the schools for which it is the admission authority.

DESIGNATED AREA

A map of the school's designated area is available in the Wokingham Borough Council Admissions Guides and the school's website for both primary and secondary admissions.

PERMANENT HOME ADDRESS

By permanent home address, we mean the child's home address. This must be where the parent or legal carer of the child lives with the child unless it is proved that the child is resident elsewhere with someone else who has legal care and control of the child. The address should be a residential property that is owned, leased or rented by the child's parent/s or person with legal care and control of the child.

To avoid doubt, where a child lives with parents with shared responsibility, each for part of a week or month, the address where the child lives will be determined having regard to a joint declaration from the parents stating the exact pattern of residence. If the residence is not split equally, then the relevant address used will be that at which we are satisfied that the child spends the majority of the school week. Where there is an equal split or there is any doubt about residence, we will make the judgment about which address to use for the purpose of determining whether or not to offer a place. We will take into account, for example, the following:

- any legal documentation confirming residence
- the pattern of the residence
- the period of time over which the current arrangement has been in place
- confirmation from any previous school of the contact details and home address supplied to it by the parents
- where the child is registered with his/her GP
- any other evidence the parents may supply to verify the position.

We may ask for evidence of the normal home address in the form of a recent bill. This could be, for example, the most recent Council Tax bill, utility bill no more than three months old, a current TV licence, buildings and contents insurance, mortgage statement or rent book which shows the address concerned. Parents who are unable to provide this evidence should contact the school to discuss what evidence might be acceptable. If it becomes clear or if there is any doubt that the parents and child are not living at the address given on the application form, the school may seek further evidence. The school works closely with the LA to ensure that places are not obtained at the school on the basis of false addresses, and, in cases of doubt, will take steps to verify the information provided. If a place at the school is offered, and it later becomes clear that the offer was made on fraudulent or misleading information (e.g. a false claim to living in the catchment area), and the school has denied a place to a child with a stronger claim, the school will withdraw the offer of a place. The offer can also be withdrawn even after the child has started at the school.

We regard a child's home address to be where he or she sleeps for the majority of the school week (Monday to Friday). We may ask to see official documentation, such as a child benefit book or medical card if there are reasons why a child does not live at his or her parent's address. For example, if he or she is resident with a grandparent, this needs to be made clear on the application form. If such arrangements are not declared or a relative's address is used on the application, we may consider that a false declaration has been made, and withdraw the offer of a place. Childcare arrangements are **not** sufficient reason for listing another address.

If parents move house after the application has been made, but before any offer of a place has been made, the school must be informed.

If parents are moving, we will ask for evidence of the move, before considering any application for a place.

We would not accept an address where the one given is that of a second home with the main home being elsewhere. If there are two or more homes, we will check which is the main home, and may refuse to base an allocation of a place on an address which might be considered only temporary. Nor would we accept an address where the child was resident other than with a parent or carer unless this was part of a fostering or formal care arrangement. We would not normally accept an address where only part of a family had moved, unless connected with a divorce or permanent separation arrangement, in which case we would require proof.

CONTACTS

School documents and copies of school forms are available on the school's web site www.piggott.wokingham.sch.uk. They can also be obtained from the Admissions Administrator, whose contact details are given below. Any queries concerning admission to the school should be addressed to the Administrator as well.

The Admissions Administrator	Email	admissions@piggott.wokingham.gov.uk
The Piggott School	Telephone	(0118) 9402357
Twyford Road	Fax	0871 2264213
Wargrave		
Reading RG10 8DS		

Copies of Wokingham Borough Council documents and forms are available on its web site www.wokingham.gov.uk/admissions. They can also be obtained from the School Admissions Team, whose contact details are given below. Any queries about Wokingham's admission arrangements should be addressed to the team.

School Admissions Team	Email	schooladmissions@wokingham.gov.uk
Pupils' Services	Telephone	(0118) 9746143
Wokingham Borough Council	Fax	(0118) 9746135
P O Box 156		
Shute End		
Wokingham		
Berkshire RG40 1WN		

Admission Appeal Complaints
Academies Central Unit,
Education Funding Agency
Earlsdon Park
Butts Road
Coventry
CV1 3BH



Complaint of maladministration by an independent appeal panel for admission to an Academy

What the EFA can consider

The EFA cannot consider complaints that the decision of an independent appeal panel for admission to an Academy was wrong. The EFA acts on behalf of the Secretary of State in these matters and he cannot overturn the decision of a properly constituted appeal panel, therefore neither can the EFA. Decisions can only be overturned by the courts where the appellant is successful in applying for a judicial review. The EFA can consider:

- whether the panel was correctly constituted by the admissions authority; and
- whether the admissions authority has acted reasonably in exercising functions in respect of the appeals process, or failed to discharge a duty in relation to that process. The EFA will look at complaints that a panel was not set up in line with the provisions of the Code, or did not follow the procedures that are set out in the Code.

A complaint must be made using the following form.

Name of person submitting complaint:	
Address (including post code):	
Phone no:	E-mail:

About the appeal

Name of child:	
Are you the child’s legal guardian?*: Yes/No	Date of appeal hearing:
Academy applied for:	
Name of Clerk and address on the decision letter:	

*If you are not the child’s legal guardian, the EFA will need a signed statement

from them to show you are acting on their behalf.

How the EFA will handle your complaint: Your complaint will be considered under the EFA’s published Procedure for handling complaints about the administration of the appeal process by independent appeal panels for admission to Academies which is available from the Department for Education website

Details of your complaint:

Please tick below to indicate whether you think the panel:

Was not set up properly	<input type="checkbox"/>	Did not follow the Code	<input type="checkbox"/>	Did not act reasonably in discharging duties	<input type="checkbox"/>
-------------------------	--------------------------	-------------------------	--------------------------	--	--------------------------

Please explain here the reason(s) you would like to complain:

How did this affect the outcome?

Please explain why you think this affected the outcome of your appeal:

Sharing information

Please tick to indicate if you are happy for the detail of your complaint to be shared with the Clerk to the appeal panel and the Academy. The EFA will not be able to take your complaint further if you tick No, unless the complaint is about a general failure of compliance.

Yes No

Further information

Please attach or enclose any information that you think is relevant to your complaint, for example the decision letter from the appeal panel. The EFA will contact you for more information if needed.

Wokingham secondary designated areas - The Piggott

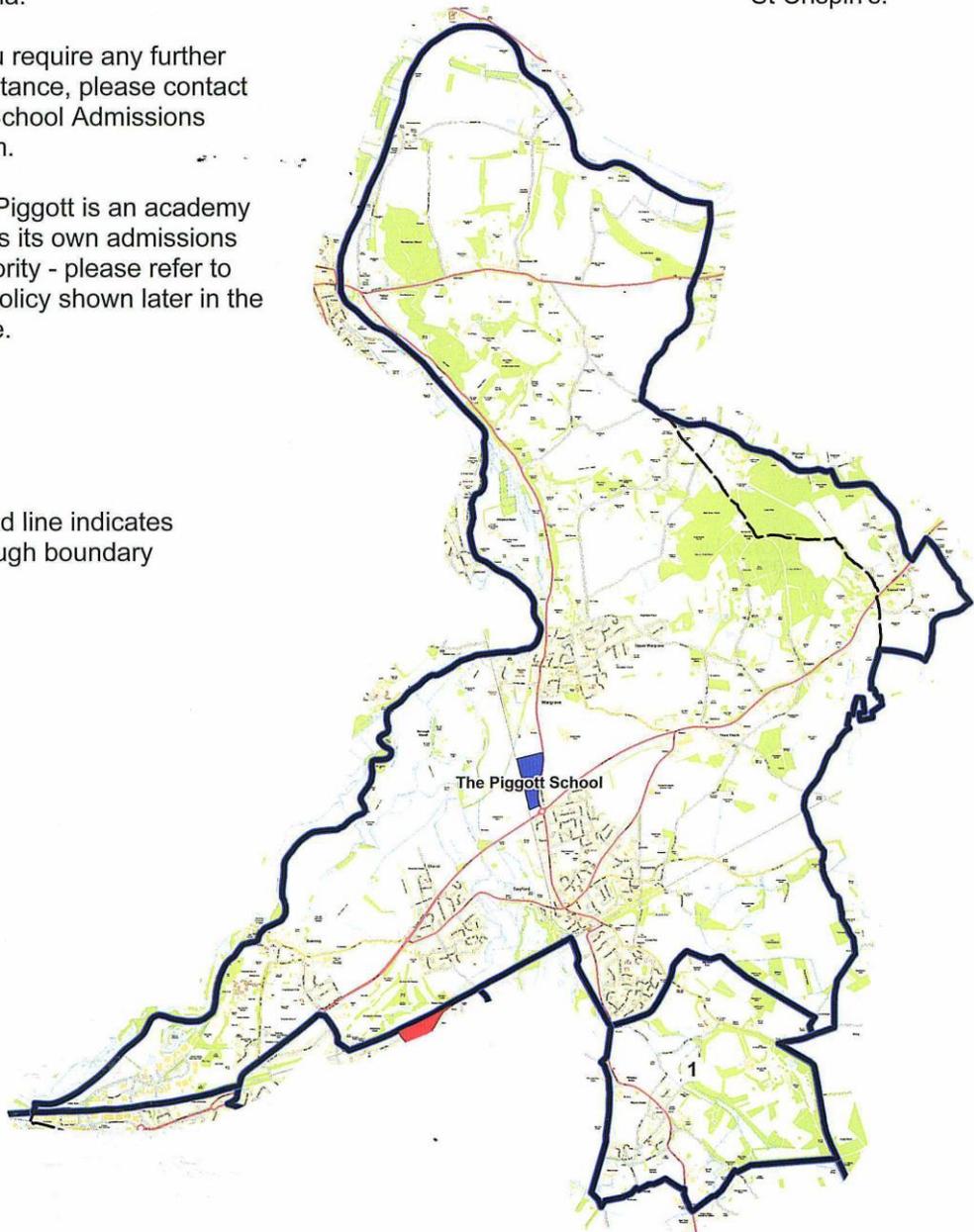
This map gives a guide to the designated area of The Piggott that is used in its over-subscription criteria.

If you require any further assistance, please contact the School Admissions Team.

The Piggott is an academy and is its own admissions authority - please refer to the policy shown later in the guide.

Dotted line indicates Borough boundary

1. Shared designated area between The Piggott, The Forest, The Holt, The Emmbrook and St Crispin's.



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Please note that you can check your eligibility on the home page of the Wokingham Borough website. <http://www.wokingham.gov.uk/> scroll down to "Find my nearest" and enter postcode this will then show you your catchment schools.

DENOMINATIONAL CERTIFICATE FOR SCHOOL ADMISSION



Support for admission on denominational grounds to The Piggott School

Part 1 – to be completed by the parent(s)

Pupil Name.....

Address.....

.....

Telephone Number.....

Religious Denomination.....

Signature of parent..... Date.....

Part 2 – to be completed by the Leader of the Religious Establishment

Name of Religious Establishment.....

Address.....

.....

Telephone Number.....

Representatives Name.....

Position held.....

If parents are applying on denominational grounds (Category F) for places at the Piggott School, the Governing Body will expect that a parent or guardian frequently* attends for worship with a church within the Christian faith and which is a member of 'Churches Together in Britain and Ireland' **or a member of The Evangelical Alliance, please see their website.

*defined as at least twice a month for at least eight months of the year and to be confirmed by a member of the local clergy.

** please see attached sheet for CTB membership details.

I hereby certify that the parent(s) of the above named child is/are practising member(s) of my congregation/meeting over the last year and meet the requirements stated above. I therefore support the parent's application to The Piggott School on denominational grounds.

Signature..... Date.....

Position at Religious Establishment.....

Member churches of the Churches Together in Britain and Ireland organisation

This list is accurate at the time of determination but is subject to amendment,
please check their website <https://ctbi.org.uk/member-churches/>

African-instituted churches

Cherubim and Seraphim Council of Churches

Anglican churches

Church of England

Church in Wales

Scottish Episcopal Church

Church of Ireland

Baptistic Churches

Baptist Union of Great Britain

Bodies that group churches across different traditions

Each of these groups cuts across the confessional categories already listed, but

Evangelische Synode Deutscher Sprache in Grossbritannien

Council of African and Caribbean Churches

Congregational churches

Congregational Federation

Union of Welsh Independents)

Lutheran Churches

Lutheran Council of Great Britain

Methodist Churches

Methodist Church

Methodist Church in Ireland

Wesleyan Holiness Church

Independent Methodist Churches

Orthodox churches

Antiochian Orthodox Church

Exarchate of Orthodox Parishes of the Russian Tradition

Greek Orthodox

Russian Orthodox Church

Oriental Orthodox churches

Coptic Orthodox Church

Council of Oriental Orthodox Churches of the United Kingdom and the Republic of Ireland

Armenian Apostolic Church

Coptic Orthodox Church (incorporating the British Orthodox Church)

Ethiopian Orthodox Church

Eritrean Orthodox Church

Indian Orthodox Church

Syrian Orthodox Church (incorporating the Malankra Syrian Orthodox Church)

Pentecostal Churches

Apostolic Pastoral Congress
Church of God of Prophecy
International Ministerial Council of Great Britain
Joint Council for Anglo-Caribbean Churches
Building of the Temple (Ecclesia of God)
Latter Rain Outpouring Revival Church
Pentecostal Church of God
The International City Mission Church
Pentecostal Church of Jesus Christ Inc
Church of God in Christ United
Mount Zion Holiness Church
New Way Pentecostal Fellowship
Faith Restoration Outreach Ministry
New Testament Assembly Christian Centre
Pentecostal Assembly
Pentecostal Church of God (Leyton)
New Testament Church of God
New Testament Assembly

Reformed Churches

Church of Scotland
United Reformed Church
United Free Church of Scotland
Presbyterian Church of Wales

Roman Catholic Church

Roman Catholic Church in England and Wales
(Catholic Bishops' Conference of England and Wales)
Roman Catholic Church in Scotland
(Bishops' Conference of Scotland)
Roman Catholic Church in Ireland - Associate Member
(Catholic Bishops' Conference of Ireland)

Other Traditions

Mar Thoma Church
Moravian Church
Religious Society of Friends (Quakers)
Religious Society of Friends in Ireland
Salvation Army

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**The Admission Authority
Saint Sebastian's Church of England (aided) Primary School Governing Body.**

Saint Sebastian's Church of England (aided) Primary School values highly its Christian ethos, its close links with local churches and the Diocese of Oxford. We provide a distinctively Christian, environment where everyone is welcome and every child is motivated to acquire skills for life and a love of learning. We ask all parents applying for a place at our school to respect this ethos and its importance to the whole school community.

The governors have made every effort to ensure that these arrangements comply with the School Admissions Code 2014 and all relevant legislation, including that on infant class sizes and equal opportunities.

As we are an aided school, the governing body of the school, not Wokingham Borough Council, is responsible for deciding on admissions to the school. However, under co-ordinated admissions arrangements, applications to the school for entry to the Reception year 2017-18 must be made to the home LA (i.e. the Local Authority you pay your Council Tax to) which may not be Wokingham. Full details of Wokingham LA's co-ordinated admission arrangements are published in the Children's Services' Parents' Guide to Primary School Admissions by the relevant authority. This explains how parents can express a preference for a school and give reasons for that preference. Saint Sebastian's School operates an equal preference scheme for admissions.

Application, Admission Decisions and Offer Dates:

These dates are applicable to Wokingham Borough Council residents – other local authority dates may vary

Applications for entry in the school year September 2017-August 2018 to be received by the LA by:	15 th January 2017
Decisions on which children are to be offered a place will be made available to the LA by:	15 th March 2017
Coordination between local authorities	31 st March 2017
Offer letters will be sent out by the LA by:	18 th April 2017
Acceptances received by	3 rd May 2017

Applications received after date to be advised by WBC but before the first day of the school year will be considered as late, and will be subject to the following constraints. These applications will only be considered after all those received by 15th January 2017. This means if no places are left after considering all the applications received by 15th January 2017, even if you fulfil a higher criterion than that under which places have been offered to other applicants, you will be unsuccessful.

Published admissions information

All applications, where a parent expresses a preference for the school will be considered equally. Prior to making an application, parents may visit the school to look around and have an informal discussion with the Headteacher, but this will not be used to determine the allocation of places.

Admission to the Reception Year 2017-18

If parents wish to apply for a place in the Reception Year 2017-18, a home authority (i.e. the authority who you pay Council Tax to) common application form is to be completed and returned to the home LA. The Admission number for entry to the Reception Year in 2017-18 is 24. The school's, and not the home LA's admissions criteria will be used to determine places. If you are applying under criteria numbers 2, 3, 5, or 8, the school's own supplementary information form (available from the school's Website) will also need to be completed and returned to the school by 15th January 2017 for entry in the year September 2017 – August 2018. Parents may also make their application online. All successful applicants will be asked to produce proof of age. Should this not be forthcoming by the start of the autumn term the governing body will deem the place to be obtained fraudulently and therefore withdraw it.

Children are admitted in the September of the school year in which they reach the age of five. The school does not accept applications for earlier entry. Parents of a child whose fifth birthday falls between 1 September 2017 and 31 March 2018 may request that their child is not admitted until later in the school year 2017/18 (no later than the term after the child's fifth birthday, when s/he reaches compulsory school age). The school will hold any deferred place for the child, although, in the majority of cases, we find that children benefit from starting at the beginning of the school year, rather than part way through it.

For children whose fifth birthday falls between 1 April 2018 and 31 August 2018, parents who do not wish them to start school in school year 2017-18, but to be admitted in September 2018 for school year 2018-19, should discuss this with the school at an early stage. They may decide not to apply for a Reception place in the school but to apply in the second half of the summer term 2018 for a Year 1 place in September 2018. Parents should be aware that the Year 1 group may have no vacancies as it could be full with children transferring from the 2017-18 Reception Year group. Alternatively, they may decide to apply in the normal round (no later than 15 January 2018) for a Reception Year place in September 2018, but would need to provide strong supporting reasons for seeking a place outside the normal year group.

The Governing Body of the school decides the criteria used to admit children. Saint Sebastian's is a Church of England voluntary aided school and, therefore, our criteria may be different from those of an LA community school.

In-Year Admissions

Applications for casual / in-year admissions should be made direct to the LA and will be considered as they arise and may be made at any time. All year groups have 24 places. The school participates in Wokingham LA's Fair Access Protocol.

Criteria and Arrangements for Admission to the School

The Governors' admissions committee meets as necessary, to formulate policy and allocate places and in the event of there being a greater demand for admission than there are places available, the following criteria will apply in order of priority. Children with a Statement of Special Educational Need or with an Education, Health and Care (EHC) plan naming the school will always be admitted. Subsequently, all applications will be considered equally against these criteria irrespective of ability.

1. Looked-after children and children who were previously looked after, but ceased to be so because, immediately after being looked after, they became subject to an adoption, child arrangements or special guardianship order."
2. Families who have exceptional medical or social needs that make it essential that their child attends Saint Sebastian's School rather than any other. These needs must be fully supported by written evidence from the appropriate professional person involved with the family².
3. Children one of whose parents³ worships regularly⁴ at St Sebastian's Church. Verification of regular worship is required in the form of the incumbent's signature on the supplementary form.
4. Children who have a sibling⁵ at the school at the time of application.
5. Children who live in the Ecclesiastical Parish of St. Sebastian's⁶. (Map attached to this policy document).
6. Children one of whose parents worships regularly⁴ at another Christian Church, which is Trinitarian in doctrine. Verification of regular worship from the minister at the relevant Church is required in the form of his/her signature on the supplementary form. The school may subsequently contact the Minister by telephone.
7. Other children

Footnotes:

¹⁻ By a "looked-after child" we mean one in the care of a local authority or being provided with accommodation by a local authority in the exercise of its social services function. An adoption order is one made under the Adoption Act 1976 (Section 12) or the Adoption and Children Act 2002 (Section 46). A 'child arrangements order is one settling the arrangements to be made as to the person with whom the child is to live (Children Act 1989, Section 8, as amended by the Children and Families Act 2014, Section 14). A 'special guardianship order' is one

appointing one or more individuals to be a child's special guardian/s (Children Act 1989, Section 14A). Applications under this criterion must be accompanied by evidence to show that the child is looked after or was previously looked after (e.g. a copy of the adoption, child arrangements or special guardianship order)."

² When applying under criterion 2 (exceptional medical or social needs), you must include supporting evidence from an independent professional person who is aware of the situation and supports your reasons for preferring Saint Sebastian's School. This supporting evidence must clearly demonstrate why the school is the most suitable and must illustrate the difficulties that would be caused if your child had to attend another school. The person supplying the evidence should be a doctor, health visitor, social worker, etc. who is aware of your child's or your own case. The school reserves the right to ask for further evidence or clarification where necessary and may seek the advice of appropriate educational professionals where necessary.

³ A parent is any person who has parental responsibility for, or is, the legal guardian of the child.

⁴ - Attending a regular church service at least once a month over the year preceding the application. For applicants who have moved into the area, previous church attendance will be taken into account. Provided that verification from a previous church is included in the application.

⁵ - Sibling refers to brother or sister-, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent/carer's partner where the child for whom the school place is sought is living in the same family unit at the same address as that sibling.

⁶ - Permanent home address denotes the address where a child lives with a parent for the majority of each school week. For this purpose the school week begins at 6pm on Sunday evening and ends at 6pm on Friday evening including night times. To avoid doubt, where a child lives with parents with shared responsibility, each for part of a week or month, the address where the child lives will be determined having regard to a joint declaration from the parents stating the exact pattern of residence. If the residence is not split equally, then the relevant address used will be that at which we are satisfied that the child spends the majority of the school week. Where there is an equal split or there is any doubt about residence, we will make the judgment about which address to use for the purpose of determining whether or not to offer a place. We will take into account, for example, the following:

- any legal documentation confirming residence
- the pattern of the residence
- the period of time over which the current arrangement has been in place
- confirmation from any previous school of the contact details and home address supplied to it by the parents
- where the child is registered with his/her GP
- Any other evidence the parents may supply to verify the position.

Governors reserve the right to investigate for evidence of a child's address. If parents are moving house, the school will ask for evidence of the move, before considering any application for a place. Documentary evidence in the form of a solicitor's letter to confirm exchange of contracts, a rental agreement for at least a period of six months will be required (Armed Forces personnel are exempt). If you

are returning from elsewhere, to live in a home that you own, we will require evidence to show that you have returned. We will also ask for evidence that any previous house owned has been sold or is being sold. We would not accept an address where the one given is that of a second home with the main home being elsewhere. If there are two or more homes, we will check which is the main home, and may refuse to base an allocation of a place on an address which might be considered only temporary. Nor would we accept an address where the child was resident other than with a parent or carer unless this was part of a fostering or formal care arrangement. We would not normally accept an address where only part of a family had moved, unless connected with a divorce or permanent separation arrangement, in which case we would require proof. Please contact the school if further information is required.

Priority will be given within any of the above oversubscription criteria to the applicant whose permanent home address is nearest to the preferred school in terms of radial (straight line) distance. Distances will be measured consistently and will be measured as a straight line between the Local Land and Property Gazetteer (LLPG) address points for the respective home address and school, using the Easting and Northing for each address point. These are then used to calculate the distance between the two address points using a 'direct distance mathematical routine' within the Capita ONE system used by the council's School Admissions Team into which the LLPG address points are imported. This calculates the distance from the values created through this process using Pythagoras' Theorem by measuring the distance in metres between the Easting and Northing for each end address point then divide by 0.000621317 to convert to miles. It should be noted that this calculation may not be exactly the same as that created by a Geographical Information System (GIS) product as the GIS product may build in a formula to allow for the curvature of the earth. This curvature does not begin to affect distance values until the distance is least 10 miles.

Where the application of oversubscription criteria results in splitting siblings with the same birth dates, places will be offered even if this will result in the school going above the admission number.

Where there are 2 or more applicants with identical distance measurements, the place will be allocated by random allocation in the presence of an independent person.

If an application is received for a child to be admitted outside their normal age group (e.g. gifted and talented, those with additional needs or those who may have missed a significant amount of schooling due to ill health), we will judge each such application individually based on the circumstances of each case. Additional evidence may be requested.

Once decisions have been made, the school will not reconsider applications unless there is genuine reason for doing so, for example, if the family has moved address.

Appeals

Parents of children who have been refused a place have the right of appeal against the decision of the Governing Body. Letters of appeal should be addressed to the Chairman of Governors, c/o the school and should be received within twenty-one days of the date of the letter of refusal. An Independent Appeal Panel will be convened to hear the appeal. You will be fully informed of the arrangements. You and the Governors will have a chance to send in any papers you wish and to speak at the hearing. The Appeal Panel's decision as to whether or not your child can come to St Sebastian's School is binding. Please refer to the school office for a copy of the Appeals procedure. It should be noted that in the event of an unsuccessful appeal, it is the Governing Body's policy not to reconsider applications within the same academic year. However, parents have the right to a second application within the same academic year if there is a major change in circumstances e.g. change of address.

Waiting List

This is held by Wokingham Borough Council. They will handle any in-year admissions and will consult with the school before offering a place.

Admissions without discrimination

The school's equal opportunity policy will operate in all cases of admissions to the school. There is no charge or cost related to the admission of a child to the school.

Fair Access

The school participates in Wokingham LA's Fair Access Protocol. This covers, for example, children who have moved into our area after the normal admission round, or who need to move school as a result of severe bullying or social issues. Children qualifying under the Fair Access Protocol may be offered a place even if there are no places available in the relevant year group and also take priority for admission over any child on the waiting list.

Review:

This policy is subject to review on a yearly cycle by the Governing Body.

Next Review Date: Autumn 2016

For further information please contact the School:

Colin Rouse (Headteacher)
St Sebastian's C of E (Aided) School
Nine Mile Ride
Wokingham
Berkshire
RG40 3AT

Telephone: 01344 772427

**Saint Sebastian's Church of England (aided)
Primary School**

Governors' Supplementary Information Form
For Admission to St Sebastian's School
2017-18

Child's Surname.....

Forenames.....

Address.....

..... **Post Code**.....

Date of birth.....

Name of parent/guardian.....

Please read the school's admission arrangements carefully. All applicants applying on denominational grounds (under criteria 2, 3, 5 and 8) need to complete this supplementary form, and then return it **directly to the school**, who will acknowledge receipt. You will need to have the form countersigned by your priest or minister to confirm the information you have given. Please note that the common application form should be returned to your home Local Authority.

In what year do you wish your child/ren to start school?

Which criterion are you applying under?

.....

Which church do you attend?

Have you been attending weekday or Sunday services at this church at least once a month, over the past year? (Please circle)

Yes

No

I certify that the information given in answer to the questions above is complete and correct.

Signed.....Date.....

[Parent or Guardian]

To be completed by the Parish Priest or Minister

I verify/do not verify that, to the best of my knowledge, the answers given by the parent/guardian are correct.

I verify/do not verify that the church which I serve and at which the applicant worships is Trinitarian in its doctrine.

Signed.....

Name (please print).....

Position*.....

Address.....

.....

Telephone number.....

Date.....

* For example, Vicar, Rector, Minister, etc.

On occasion we may need to contact your parish priest or minister directly, in order to clarify the information given on this form.

Please return this form directly to St. Sebastian's School

For St. Sebastian's School office purposes only:

Agreed by:

Chair of Admissions

Headteacher

Governor

Appendix

The table below gives a breakdown of number of applications against the criteria at the time of allocation. St Sebastian's School operates under the equal preference system when allocating places. The number of pupils against criteria at the time of acceptance may indicate that pupils in the lower criteria would be successful in their application. The School may be contacted for further information regarding the process.

Applications for the Year 2014/2015	
Criteria number*	Number of applicants
1	0
2	6
3	3
4	9
5	0
6	16
7	0
8	7
9	8
Late applicants	2
Total Applicants	51

The list of criteria relevant to the table above can be found in the Admission policy for 2014-2015.

The data in the table will be updated in April 2016 when the new figures are known.

TITLE	Office of the School's Adjudicator's Annual Report to the Secretary of State
FOR CONSIDERATION BY	School Admissions Forum on 27 January 2016
WARD	None Specific
STRATEGIC DIRECTOR	Judith Ramsden, Director for Children's Services

SUMMARY

Each year, local authorities are required to submit information to the Office of the School's Adjudicator by 30 June and there is a requirement for the local authority to publish their report. A template is usually provided for this purpose. These reports in turn are used for the Chief School Adjudicator to make a report to the Secretary of State and to publish her findings on how well admission authorities are complying with the School Admissions Code and highlighting where there is room for improvement. This report may be used by the government to influence changes to the School Admissions Code.

RECOMMENDATIONS

That the Forum notes the report.

SUPPORTING INFORMATION

The report, based on admissions between September 2014 and August 2015 was published on 17 December, 2015. The main findings of the report are:

1. There has been some progress in complying with the Code on consultation about and determination and publication of admission arrangements, but too many schools that are their own admission authority, do not comply fully with what are relatively modest requirements.

Recommendation: Communications from the DFE to schools, local authorities, academy trusts and religious bodies could usefully include reminders about the dates by which consultation, determination and publication of admission arrangements must be completed. Schools that convert to become academies and new schools need to have their attention drawn to their responsibilities as an admission authority.

2. The arrangements for admission to the sixth form still frequently contravene the Code. There continue to be misunderstandings about the general requirements that apply to admission to the sixth form.

Recommendation: The DFE might consider whether the entire Code should apply to admissions to the sixth form or there should be some flexibility or some other process as used by other providers of education post-16 that would be more appropriate, but would not disadvantage students seeking a place in a school sixth form.

3. The admission arrangements for many schools that are their own admission authority are unnecessarily complex and lack transparency, especially those with numerous subcategories within individual oversubscription criteria. Such arrangements are difficult to understand and limit parents' ability to assess the chance of their child being offered a place.

Recommendation: The DFE should consider providing examples of admission arrangements and setting out some general definitions that will apply for all admission authorities to avoid every admission authority having to include information that could more helpfully be standard for all schools and provide clarity to parents. Examples include specifying that: the final tie-breaker will be random allocation if two or more applicants have equal priority for the final place available; and the waiting list will be maintained until 31 December and how it will be applied, which would avoid asking every admission authority to set out such details.

4. The guidance provided for schools designated as having a religious character by the body or person representing the religion or religious denomination is of variable availability and quality. Some guidance is clear, up to date and takes full account of the Code, but much is not.

Recommendation: The DFE should consider providing guidance about or specifying what is expected in guidance from the relevant person or body for schools that can give priority for admission on grounds of faith.

5. The Code provides for any person or body to make an objection. Local authorities and dioceses have acted responsibly in objecting to the arrangements for some schools in their areas. Although there are some matters on which an objection cannot be made, there have been instances of pressure groups and individuals making use of the provision to object when it appears to be more about trying to influence a policy matter than concern about the arrangements of a school for which parents might legitimately be considering applying for a place for their child.

Recommendation: The DFE may wish to reconsider who can make an objection to the arrangements for a particular school, possibly limiting it to those with proper standing for making the objection.

6. The reports for local authorities raise some important matters, for example, concerning the provision of a school place for looked after children outside their home area; the problems created by late application; and concerns about the in-year admissions process.

Recommendation: Consideration should be given by the DFE to making greater use of the information provided by local authorities in their reports to assist in making further improvements to the admissions process.

List of Background Papers

School Admissions Code and School Admissions Appeals Codes and relevant regulations

Office of the Schools Adjudicator Annual Report – September 2013 to August 2014

Held by Sue Riddick	Service Children's Services
Telephone No 974 6113	Email sue.riddick@wokingham.gov.uk
Date 29 January 2015	Version No. 1.0

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Office of
the Schools
Adjudicator

Office of the Schools Adjudicator Annual Report

September 2014 to August 2015

November 2015

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Introduction

This report, my fourth and final report as Chief Adjudicator, covers the period 1 September 2014 to 31 August 2015.

As in previous years the secretariat and adjudicators of the Office of the Schools Adjudicator have had a busy year as first we completed the many admissions cases lodged towards the end of the previous academic year and then after a short quiet period began investigating the new cases concerning admissions in September 2016. The revised School Admissions Code issued in December 2014 had some early impact on our work and recently we have been preparing to respond to the changes that come into force this year, in particular the earlier date of 28 February by which admission arrangements must be determined and the deadline for making an objection of 15 May.

The overall format of my report is much as previous ones so comparisons can be made year on year and I have, as usual, noted the progress made in response to the main findings reported last year. Against the main findings this year I have offered some recommendations for the Department for Education to consider which, if implemented, could assist in reducing further the level of non-compliance of admission arrangements. This would then benefit parents as they consider their preference for schools for their children by having the clearest, fairest possible criteria against which places are offered.

In writing this report I have reflected on the comments made to me about the ways in which my last report were of assistance to those responsible for admissions to schools and I hope the Secretary of State and others will also find this report useful.

Dr Elizabeth Passmore OBE

Chief Schools Adjudicator

November 2015

Office of the Schools Adjudicator

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Feethams

Darlington

DL1 5QE

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Email: osa.team@osa.gsi.gov.uk

Website: www.gov.uk/government/organisations/office-of-the-schools-adjudicator

Executive summary and main findings

1. The Office of the Schools Adjudicator (OSA) has once again had a busy year. Referrals were spread across the year, much as in recent years, but with fewer referrals of all types of admission and statutory proposal matters than in 2013/14. The peak for new objections came in late June resulting in cases being carried forward into the new school year. The bringing forward of the deadline for making an objection by six weeks to 15 May in 2016 should assist in completing more cases before schools close for their summer holiday. There have been some changes in the staff resulting in a year with 12 adjudicators and eight administrative staff. Everyone in the OSA works part-time except four of the administrative staff.
2. The revised School Admissions Code (the Code) that came into force in December 2014 and the amended School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (the Regulations) provided clarification on some matters. Examples include emphasising that it is a right for a child to attend school full-time from the September after their fourth birthday or to defer or attend part-time until reaching compulsory school age. Some new provisions were introduced such as enabling all admission authorities, if they so wish, to give priority for admission to children eligible for the pupil premium, service premium or the early years premium.
3. **Objections to admission arrangements** for all types of state-funded schools, other than 16-19 schools, are within the OSA's jurisdiction and have continued, as previously, to form the largest part of our work. The established pattern of more objections from parents than any other group was maintained. Regrettably, as previously, many of the enquiries to the OSA indicated that there is still a misunderstanding among some would-be objectors about the remit of the OSA. The School Standards and Framework Act 1998 (the Act) gives the adjudicator jurisdiction for the determined admission arrangements for a school and does not include the admissions process or the admission of individual children who are not allocated a place at the school their parents would prefer.
4. Objections often resulted from no or only partial consultation about proposed changes to admission arrangements. Other objections were stimulated because arrangements that had been in place and worked well for many years either no longer seemed fair because more children were seeking a place at the school, or because a change made by one school had an impact on children's chances of being allocated a place at that school or at any other preferred school. The largest single group of objections concerned the wording of admission arrangements in relation to admission out of a child's normal age group, in particular, the admission of children whose parents wish to delay their admission to the Reception Year for

a full year - the summer born issue. Overall, the same range of matters as referred previously featured again this year.

5. Adjudicators have again been concerned that although the Code is a very concise document some of our findings about the objections suggest that the admission authority had not read the Code and therefore failed to comply with its mandatory terms. Paragraph 14 sets out the *“Overall principles behind setting arrangements”* and says, *“In drawing up their admission arrangements admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”* Admission authorities need to test their arrangements against this paragraph as well as all the specific requirements in the Code.
6. The number of requests for a **variation** to determined admission arrangements for maintained schools returned to the low level of 2012/13. Several involved changes to take into account the proposals to create extra school places. The OSA has again received enquiries about how to seek a variation to determined arrangements for academy schools and been asked why the process is different from that for maintained schools.
7. The number of appeals against a local authority’s notice of intention to **direct** a maintained school to admit a child has remained low. Yet again the correct procedure required by the Act had not been followed in the majority of cases and thus they were outside the jurisdiction of the adjudicator. The different process for maintained schools and academies seems to lead to this mistake. If a local authority has been unable to persuade an academy school to admit a child using its fair access protocol it can then go to the Education Funding Agency (EFA) and seek a direction on behalf of the Secretary of State, whereas before being able to make a direction itself to a maintained school the longer process set out in the Act must be followed. The EFA requested advice from the adjudicator for one referral it received. The result of the continuing misunderstandings about the process for making a direction are likely to mean a child is out of school for longer than absolutely necessary.
8. The consideration of **statutory proposals** referred to the adjudicator continued to form a small part of our work. The range of cases was much as in previous years, for example, appeals against a decision to close certain types of school, and proposals to form a community primary school from separate community infant and junior schools.
9. The number of **land transfer** cases concerning maintained schools remained very small. They are varied, but a common feature has been that schools and their legal representatives have not considered carefully enough the precise terms set out in legislation to be met for land to transfer to the school. The land must

immediately before the change of status, the implementation date, have been held or used by the local authority for the purposes of the community school.

Sometimes a site visit was needed to check on the matters raised by the parties, but simply having a desire to have land, and the buildings on that land, is not a sufficient reason to have land transferred.

10. The Regulations and Code require every local authority in England to prepare a **local authority report** and send it to the Adjudicator by 30 June, as well as also publishing it locally. All 152 local authorities sent their report to the OSA, not all on time, but fewer reminders were needed before having the full set. The Code sets requirements about what must be included and makes provision for local authorities to raise issues of their own. As previously a template was provided for the report that included questions on matters about which a view from across the country may prove useful to those concerned with admissions to schools.
11. The application of fair access protocol procedures mostly works effectively in placing children who do not have a school place in the school that best meets their needs. Most schools work well with their local authority in ensuring a place is available, but a small minority of schools do not co-operate fully and delay or strongly resist the admission of a child. Very few instances of a child needing a place have ended with a direction to a school to admit.
12. On matters relating to the normal admissions round there have been few changes since last year. The new provision that priority must be given to all children who have been adopted and were previously in care has been welcomed and has removed the differences in understanding of a “previously looked after child”. Some local authorities have restated their concerns about the placement of children in care in a different local authority area without proper discussion with the receiving authority. Particular mention has been made of the placement of unaccompanied asylum-seeking children. Local authorities have also reiterated their concern about the number of late applications and repeated their request for a central campaign to publicise application dates, especially the closing date for applications for a primary school place.
13. The arrangements for in-year admissions vary depending on whether the local authority continues either to co-ordinate all admissions in its area or only some. Concerns have been reported about some schools that are their own admission authority which require parents to apply directly to them as they have not provided information to the local authority as required about places available and places offered with the consequence that some children have been out of school for an undue length of time.
14. As adjudicators often have difficulty in locating the admission arrangements for schools that are their own admission authority on the school’s website, data was collected this year about the extent to which these schools provided a copy of their

arrangements to the local authority by the date specified in the Code: 20 per cent failed to do so. Failing to publish arrangements and not sending them to the local authority hinder the checking of the arrangements for compliance with the Code by the local authority and, if necessary, enabling it to meet its duty to object. Failure to publish also limits the ability of parents and others to object before the deadline for objections.

15. Data was again collected about the extent of fraudulent applications. Just over half of local authorities reported concerns and a similar proportion reported that offers of a place had been withdrawn. Similarly, data was collected on the number of requests for children to delay their admission to school such that the child would join the Reception Year when of chronological age for Year 1. More requests have been received for delayed admission, but the number overall remains low.
16. The main findings this year include matters from the cases considered by adjudicators and from issues raised by local authorities. The OSA only becomes involved when there are differences of opinion and the findings are, therefore, mostly of continuing problems, but where possible in the report I have included some examples of good practice that we have seen in the course of investigating an objection to admission arrangements. I make some recommendations for the Department for Education (DfE) to consider.

Main finding 1. There has been some progress in complying with the Code on consultation about and determination and publication of admission arrangements, but too many schools that are their own admission authority do not comply fully with what are relatively modest requirements.

Recommendation. Communications from the DfE to schools, local authorities, academy trusts and religious bodies could usefully include reminders about the dates by which consultation, determination and publication of admission arrangements must be completed. Schools that convert to become academies and new schools need to have their attention drawn to their responsibilities as an admission authority.

Main finding 2. The arrangements for admission to the sixth form still frequently contravene the Code. There continue to be misunderstandings about the general requirements that apply to admissions to the sixth form.

Recommendation. The DfE might consider whether the entire Code should apply to admissions to the sixth form or there should be some flexibility or some other process as used by other providers of education post-16 that would be more appropriate, but would not disadvantage students seeking a place in a school sixth form.

Main finding 3. The admission arrangements for many schools that are their own admission authority are unnecessarily complex and lack transparency, especially those with numerous subcategories within individual oversubscription criteria. Such arrangements are difficult to understand and limit parents' ability to assess the chance of their child being offered a place.

Recommendation. The DfE should consider providing examples of admission arrangements and setting out some general definitions that will apply for all admission authorities to avoid every admission authority having to include information that could more helpfully be standard for all schools and provide clarity for parents. Examples include specifying that: the final tie-breaker will be random allocation if two or more applicants have equal priority for the final place available; and the waiting list will be maintained until 31 December and how it will be applied, which would avoid asking every admission authority to set out such details.

Main finding 4. The guidance provided for schools designated as having a religious character by the body or person representing the religion or religious denomination is of variable availability and quality. Some guidance is clear, up to date and takes full account of the Code, but much is not.

Recommendation. The DfE should consider providing guidance about or specifying what is expected in guidance from the relevant person or body for schools that can give priority for admission on grounds of faith.

Main finding 5. The Code provides for any person or body to make an objection. Local authorities and dioceses have acted responsibly in objecting to the arrangements for some schools in their areas. Although there are some matters on which an objection cannot be made, there have been instances of pressure groups and individuals making use of the provision to object when it appears to be more about trying to influence a policy matter than concern about the arrangements of a school for which parents might legitimately be considering applying for a place for their child.

Recommendation. The DfE may wish to reconsider who can make an objection to the arrangements for a particular school, possibly limiting it to those with proper standing for making the objection.

Main finding 6. The reports for local authorities raise some important matters, for example, concerning the provision of a school place for looked after children outside their home area; the problems created by late applications; and concerns about the in-year admissions process.

Recommendation. Consideration should be given by the DfE to making greater use of the information provided by local authorities in their reports to assist in making further improvements to the admissions process.

Background

17. The OSA was formed in 1999 by virtue of section 25 of the School Standards and Framework Act 1998 which gives the Secretary of State the power to appoint “*persons to act as adjudicators*”. It has a remit across the whole of England.
18. Adjudicators resolve differences over the interpretation and application of legislation and guidance on admissions and on statutory proposals concerning school organisation. The adjudicators have five main functions.

In relation to all state-funded schools, adjudicators:

- rule on objections to and referrals about determined school admission arrangements;

and in relation to maintained schools, adjudicators:

- decide on requests to vary determined admission arrangements;
- determine appeals from admission authorities against the intention of the local authority to direct the admission of a particular pupil;
- resolve disputes relating to school organisation proposals; and
- resolve disputes on the transfer and disposal of non-playing field land and assets.

19. The Chief Schools Adjudicator can be asked by the Secretary of State for Education to provide advice and undertake other relevant tasks as appropriate. The Secretary of State also has the power to refer to the Adjudicator admission arrangements that do not or may not conform with the requirements relating to admission arrangements.
20. At 31 August 2015 there were 12 adjudicators, including the Chief Adjudicator. Adjudicators are appointed for their knowledge of the school system and their ability to act impartially, independently and objectively. Their role is to look afresh at all cases referred to them and to consider each case on its merits in the light of legislation, statutory guidance and the Code. They investigate, evaluate the evidence provided and determine cases taking account of the reasons for disagreement at local level and the views of interested parties. Although there is no legal requirement for adjudicators to hold meetings with the interested parties they may do so if they consider it would be helpful to them as they investigate a case.
21. Adjudicators are independent of the DfE and from each other. They usually work alone in considering a referral unless the Chief Adjudicator assigns a particular

case or cases to a panel of two or more adjudicators, in which circumstances the panel will consider the case(s) together. All adjudicators, including the Chief Adjudicator, are part-time, work from home and take adjudications on a 'call-off' basis. All may therefore undertake other work at times when they are not working for the OSA provided it is compatible with their role as an adjudicator.

Adjudicators do not normally take cases in local authority areas where they have been employed by that authority or worked in a substantial capacity in the recent past, or where they currently live or have previously worked closely with individuals involved in a case or for any other reason if they consider that their objectivity might be, or perceived to be, compromised.

22. Determinations are legally binding. Decisions, once published, cannot be challenged other than through the Courts. They are checked before publication by the Chief Adjudicator and, where appropriate, by lawyers. Adjudicators must consider each case against the current legislation and for admissions matters must also consider each case against the Code. They cannot be bound by similar, previous cases and determinations as they are required to take the specific features and context of each new case into account as well as to apply the relevant legal provisions.

Review of the 2014 report's main findings

23. The 2014 Annual Report concluded with five main findings and action required. These main findings are shown below together with the progress that has been made.

24. **Main finding 1** - Too many admission authorities of schools that are their own admission authority do not comply fully with the Code in respect of consultation about, determination of, and publication of their admission arrangements. Paragraphs 1.42 to 1.49 of the Code set out very clearly what an admission authority must do for itself and also do to enable its local authority to meet the requirement set for it in respect of publication of admission arrangements.

Adjudicators have again found that not all schools that are their own admission authority have met the requirements for consultation, determination and publication of their admission arrangements. Objections have often resulted from a lack of consultation with parents and failure to publish the determined arrangements as required by the Code. Some progress has been made such that while investigating an objection adjudicators have found examples of thorough consultation, and arrangements published and easily found on the admission authority's website. Although some progress has been made, there is still more to be done.

25. **Main finding 2** – Admission arrangements for admission to the sixth form are frequently found to contravene the Code. They are, for example, difficult to find, lack an admission number, do not include oversubscription criteria and have application forms that request information prohibited by the Code.

It remains rare to see a set of arrangements for admission to a sixth form that meet both the general requirements of the Code and those specific to the sixth form. Some schools have responded quickly and positively to an objection by making the necessary amendments.

26. **Main finding 3** – Schools that are their own admission authority often have arrangements that lack the required information and request prohibited information in their supplementary information forms. They do not meet their responsibility of having arrangements that comply fully with the Code.

We continue to see arrangements that do not include all the information specified in the Code. We also see too many supplementary information forms for schools with a religious character that do not comply with the Code, in particular because they ask for information that is prohibited as it is not required to apply the oversubscription criteria.

27. **Main finding 4** – Admission arrangements for too many schools that are their own admission authority are unnecessarily complex. The arrangements appear to be more likely to enable the school to choose which children to admit rather than simply having oversubscription criteria as required by paragraph 1.8 of the Code that are reasonable, clear, objective and procedurally fair.

Some progress has been made, but there are still arrangements that fall far short of the requirements concerning oversubscription criteria.

28. **Main finding 5** - The practice of some primary schools of giving priority for admission to the Reception Year to children who have attended particular nursery provision has again been found to be unfair to other local children, constrain parents' preferences for child care and pre-school provision and not comply with the general requirements of the Code.

Far fewer objections have been received this year about priority for attending named nursery provision. There was evidence that where a local authority had brought the matter to the attention of a school, usually the arrangements were amended without recourse to having to make an objection to the OSA.

Review of the year 2014/15

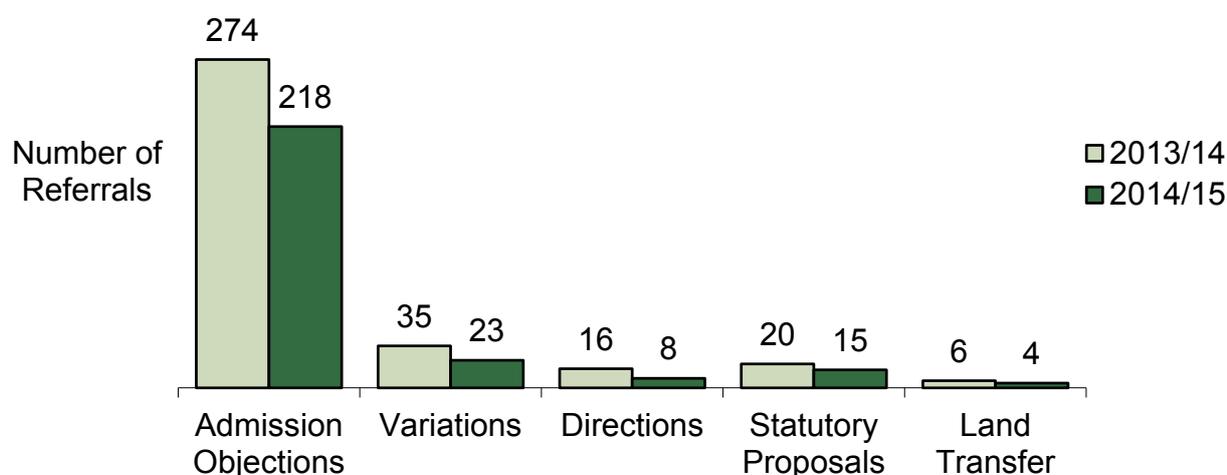
29. The workload was less uneven across the year than in recent years. There were more cases in the autumn and early winter and then after a brief lull the number rose steadily with a rush of new cases in the last week of June resulting in a high number over the summer months. The similarly high number of cases lodged in the last week of June in 2014 had resulted in many being carried forward into the new school year and the same pattern has been repeated this year. Progress on the investigation of objections to admission arrangements was slowed by a number of schools saying they would not respond until the new term in September. The revised Code that came into force on 19 December 2014 has brought forward to 15 May from 30 June the date by which an objection can be lodged in 2016. This should enable adjudicators to investigate and complete more cases before schools close for the summer holiday and admission authorities to amend their arrangements before applications are made for a school place.
30. The OSA receives many enquiries that concern matters both within and outside the adjudicator's jurisdiction. Individuals often ask for advice about making an objection prior to completing the form provided on our website and schools and local authorities seek clarification about whether a matter is within the OSA's jurisdiction before requesting a variation to determined arrangements or referring a statutory proposal. We continue to receive enquiries and requests for help on matters outside our jurisdiction, for example, a child not being allocated a place at the school the parent would most prefer. Many of the enquiries should more properly be directed to the DfE or EFA and we redirect the enquirer to where they should be able to obtain the assistance they need.
31. My regular meetings with Ministers and with DfE officials from the School Organisation and Admissions Division have enabled me to raise matters of concern with them and comment on what is working well. We have a clear demarcation line in order to maintain the independence and impartiality of adjudicators as they go about their work. I have met with groups that have a role to play in admissions and have also contributed to conferences. The aim of making a contribution to meetings and conferences is to assist admission authorities to formulate and determine lawful arrangements, and thus to reduce the number of sets of admission arrangements that are found not to conform with the Code.
32. Our team of 12 adjudicators, both new and long-serving, has worked steadily to complete the range of cases received by the OSA. The large majority of cases concerned admission arrangements, but for maintained schools statutory proposals, land transfer matters, variations to admission arrangements and the direction to a school to admit a child have featured from time to time. The qualifications and backgrounds of all adjudicators are available from the OSA.

33. Adjudicators, including the Chief Adjudicator, are part-time and are paid only for the time actually spent on cases and related work. Fee rates have remained the same since 2007. Adjudicators are supported by 6.5 full-time equivalent administrative staff based in the DfE's Darlington office. *Appendix 2* shows the OSA's costs. The increase in costs in the financial year 2014-2015 is attributable to the legal costs associated with a claim for judicial review brought by one school to an adjudicator's determination and determining the large number of cases lodged by one pressure group using objections to admission arrangements as a means to further its aims.
34. The secretariat of the OSA moved to a new location in Darlington in February 2015. They achieved the relocation with a minimum of disruption enabling adjudicators to keep working uninterrupted. The administrative staff have carried the workload without additional assistance over the summer months save for an increase in hours worked by some part-time colleagues who will take time off in lieu later in the school year and in the current financial year. The close knit team plays an invaluable role as the link between the adjudicators and those who refer cases to the OSA. Their understanding of the work of the OSA and the efficient way in which they do their work are both greatly appreciated.
35. Once again the OSA has made use of support on legal matters on a 'call-off' basis from lawyers of the Government Legal Department (GLD), formerly the Treasury Solicitor's Department (TSol). We benefitted from the advice of staff who had a good understanding of the legislative framework within which the OSA operates and were sorry to see the two designated members of GLD move to new assignments. We began immediately to work with new staff as we dealt with a judicial review claim. The judgment after the hearing resulted in a matter being remitted back to an adjudicator and subsequently a determination was published on that matter within the timescale set by the Court. The determination on the remitted matter, as ordered by the Court, stands and has not been subject to further challenge. Having gained leave to appeal on a different issue the appellant has now withdrawn the appeal. We also had one claim pursuant to the pre-action protocol which did not proceed further.
36. I have been surprised and concerned by the increase this year in the tendency of schools that are their own admission authority, that is academy, voluntary aided and foundation schools, to employ lawyers when they receive an objection to their admission arrangements. Schools should be able to construct lawful arrangements without recourse to legal advice. While occasionally the lawyer has been found to offer sound advice to the school and admission arrangements have been amended promptly, this has not been so in other cases. On land transfer matters schools have employed lawyers despite the relevant regulations being very clear on the terms to be met for land to transfer to the school on its change from community to foundation status.

37. We received nine requests for information under the Freedom of Information Act. Even when the request relates to matters for which the OSA has no role, for example, how many academies/free schools had requested expansions from the OSA, we still have to respond. Requests often require personal information to be redacted before a reply can be sent, and some ask for a mix of publicly available information and material that the requestor thinks may be held by the OSA. They were responded to within the specified timescales, but the work required to respond consumed a significant amount of the secretariat's time. We also received four complaints concerning the handling of a case. All have been closed and in response to one we are considering ways of modifying our procedure.
38. On completion of a case the parties are invited to provide feedback using the OSA's feedback form. We invite recipients to assess aspects of the process such as our: openness; accessibility; impartiality; fairness; and reasonableness, as excellent, good, adequate or poor; and provide space for free text against, *"Please tell us what we did best"* and *"What could we have done better?"* The response rate from the well over 500 forms issued was low with 46 returned. A few parties to a case sent an email message in which they recorded their thanks for the way the case was handled rather than completing the form. Given the nature of our work in resolving a dispute it has been gratifying to receive positive comments even when the people responding did not have the decision they had hoped for. Over four fifths of the respondents rated the process as good or excellent on seven of the nine aspects assessed. On timeliness we were rated a little less favourably at seven out of ten saying the process was excellent or good. On what we did best the comments referred to being kept well informed; the process was really well laid out; and a prompt and professional service. The few critical comments referred to knowing the timescale within which a judgment would be made and providing an early indication if a matter included as part of an objection was not within the adjudicator's jurisdiction. We are considering ways of responding to the concern about the timeliness of decisions and informing the parties if an aspect of an objection is out of jurisdiction in order to reduce even further the very low level of dissatisfaction.
39. Overall we dealt with 268 new cases this year compared with 351 last year. With just over 20,000 state-funded schools spread across 152 local authorities in England only a very small proportion of these schools have been part of cases referred to the OSA.
40. Local authorities must submit a report to the adjudicator by 30 June each year. The report includes the number of types of schools in their area which showed that the local authority was the admission authority for 8,835 community and 2,224 voluntary controlled schools. The relevant body, the governing body or the academy trust, was the own admission authority for 9,462 schools comprising: 3,727 voluntary aided; 1,002 foundation; and 4,733 academy schools of all types.

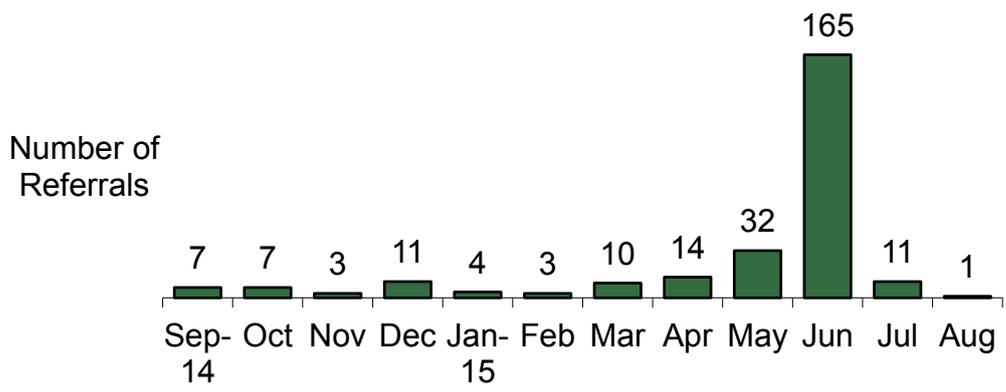
The number of academy schools increased during the year as maintained schools converted to academy status and new academy schools, that is, free schools, university technology colleges (UTC) and studio schools, opened. Many of the academies were previously foundation or voluntary aided schools and as such were already their own admission authority. There are just over 700 fewer community and voluntary controlled schools than recorded last year. Some have closed, for example where an infant and junior school closed and were replaced by a primary school thus replacing two schools with one, some may have acquired foundation status and others converted to academy status. These foundation and academy schools have become their own admission authority for the first time.

Figure 1: Referrals by type 2013/14 and 2014/15



41. This year 125 cases were carried over into the new reporting year of 2015/16 compared with 171 that were carried over into 2014/15. The earlier date of 30 June introduced in 2012 (compared with 31 July prior to that) by which objections to admission arrangements must be made to the OSA assisted in enabling investigations to begin before schools closed for the summer holiday, but for the second year running the high number of new objections received in the final few days of June has meant that once again many more cases have been carried forward than we would wish. The deadline of 15 May in 2016 for making an objection should help to reduce further the number of cases not resolved before the beginning of the new school year. The distribution of referrals received over the year shows how the work load varied in the last 12 months.

Figure 2: Distribution of referrals month by month 2014/15



Admissions

Objections to and referrals about admission arrangements

42. During the year adjudicators have considered 218 new and 157 cases carried forward from 2013/14 concerning objections to, and referrals about, admission arrangements. The 218 new cases reporting concerns about admission arrangements related to 155 individual admission authorities, a decrease compared with last year, but still many more than in 2013. There were 260 cases finalised compared with 161 in the previous year and 115 cases carried over into September 2015. Of the 210 determinations issued, 61 objections were upheld, 98 were partially upheld and 51 were not upheld. In 26 determinations the adjudicator did not uphold the objection and did not record any other matters that contravened the Code. In 18 cases the adjudicator upheld or partially upheld the objection, but did not report any other matters of non-compliance. This is a more positive outcome than last year with adjudicators finding fewer provisions which did not conform with the Code. Of the remaining cases, 42 were out of jurisdiction of which 14 concerned one academy for which parents wanted to object to changes that were said to be being brought in due to a request by the academy to the EFA for a variation. Eight objections were withdrawn.

Table 1 - Objections to and referrals about admission arrangements by year and outcome

	2014/15	2013/14
Number of cases considered	375	318
Number of new cases	218	274
Cases carried forward from previous year	157	44
Number of different admission authorities	155	204
Cases finalised	260	161
Number of objections: upheld	61	86
Number of objections: partially upheld	98	13
Number of objections: not upheld	51	23
Cases withdrawn	8	9
Cases out of jurisdiction	42	30
Cases carried forward into following year	115	157

43. Of the 218 new admissions cases concerning 155 different schools, 32 concerned the admission arrangements for 25 community and voluntary controlled schools,

42 for 39 different voluntary aided schools, seven for five different foundation schools and 137 for 86 different academy schools, including free schools.

44. The pattern from previous years continued with parents being the single largest group of objectors accounting for about half of all objections. The remainder came mainly from other schools, members of the public, local authorities and a very small number from appeals panels, dioceses and a parish council. Once again some referrals from parents were made as a result of their child not securing a place at the school they would most prefer. Many of the objections by parents were related to the issue of admission of children out of their normal age group.
45. A trigger for some objections has been that the objectors said they did not know that the arrangements they believed would apply had in fact been changed. They said they had not been aware of any consultation taking place. Other objectors complained that they had been unable to find a school's admission arrangements on its website. Some of those objecting close to or on 30 June said that the arrangements had not been available any earlier.
46. On **consultation**, once again some objections have resulted from the failure of the admission authority to consult properly as required by paragraphs 1.42 to 1.45 of the Code. Neither the Regulations nor the Code say how an admission authority must consult, but they do make very clear those who must be consulted. In particular, it is "*parents of children between the ages of two and eighteen resident in the relevant area*" as specified at paragraph 1.44a of the Code, that an admission authority most often is unable to demonstrate have been consulted. It is not surprising that it is these parents who make an objection.
47. As part of investigating an objection an adjudicator sometimes finds an example of particularly thorough consultation. One local authority had, for example, circulated a general notice to all potentially interested parties across the authority, exceeding those specified in the Code. Adjudicators have also seen references to circulating consultation documents to: playgroups; nurseries; health centres; the local leisure centre; the local supermarket; and the village shop. Elsewhere, good use had been made of social media to bring the consultation to the attention of parents. It is for the admission authority to decide how to consult, but it must ensure parents of children of the stated age range have the opportunity to comment. A difficulty for parents and others when there is a consultation on a proposed change to admission arrangements is to find out what precisely is the proposed change. On rare occasions in the course of considering an objection that did not relate to consultation we have seen good practice that includes an explanation and a set of arrangements with the proposed changes highlighted. This level of clarity helps to avoid objections to the adjudicator.
48. Some own admission authority schools had contracted with their local authority to consult on their arrangements on their behalf, but the admission authority remains

responsible for ensuring that the requirements of the Code are met. Too often own admission authority schools seemed to think that putting their proposed arrangements on the school's website was sufficient and they made no attempt to inform the relevant parties that a consultation was taking place. Even if the arrangements were seen on the website it was not apparent what aspect of the arrangements was being proposed for a change. What appeared at first sight to be an example of good practice by one admission authority turned out not to be so when examined further. The admission authority had produced a leaflet about its consultation citing clearly one matter for which a change was proposed and stating that it was not intending to make other changes. The reality was that it made several other changes to the arrangements, including the oversubscription criteria, which not surprisingly led to a number of objections.

49. A common shortcoming by admission authorities of secondary schools is to notify primary schools about their consultation and assume these schools will in turn inform the parents of children attending their school. Unless a primary school has been asked to pass information to its parents and agrees to do so the secondary school is not meeting the requirement to consult the parents of children in the primary age range, and is certainly not consulting those from age two upwards.
50. Adjudicators are also concerned when the responses to a consultation do not appear to have been given due consideration. Those consulted do not always understand that it is not simply the number of responses in favour versus the number against that will decide the outcome. Equally, the school needs to show that it has considered the responses and then having considered them decided whether to change the arrangements or not, and be clear about the reasons for its decision. The new timetable for consultation introduced in December 2014 now applies, that is for a minimum of six weeks between 1 October and 31 January. As noted last year, the final sentence in paragraph 1.45 of the Code says, "*Failure to consult effectively may be grounds for subsequent complaints and appeals*" and this has again proved all too true: it is to be hoped that this will not be repeated in 2016.
51. Whether or not an admission authority consults on its arrangements because it considers changing them or it has not done so in any of the last six years, it must **determine**, that is, formally agree, its arrangements every year. Schools that are their own admission authority need to build into their meetings' calendar for the year a reminder to consider and determine their arrangements and to minute the decision so that there is a formal record.
52. This year each admission authority had to determine its arrangements by 15 April for admissions the following year. From 2016 onwards the deadline for determining arrangements is 28 February. Those admission authorities that complied with the Code were found to have minutes of a meeting that recorded

clearly that the arrangements had been discussed in good time to allow for consultation if needed, showed that responses to consultation, if held, had been given careful consideration, and the decision taken as to what the arrangements would be was noted in the minutes.

53. Problems were found where schools, particularly primary schools, had converted to become an academy and had not complied with the requirements to determine and publish their arrangements. Some of these schools had decided to continue to use the arrangements identical to those of the local authority. This was a sensible decision as parents knew and understood those arrangements. However, if there is an objection as was common this year about the admission of children outside their normal age group, the school as its own admission authority must be able to demonstrate that it had determined its arrangements. If using the same arrangements as the local authority has for its community and voluntary controlled schools this may be thought of as a technicality, but to have lawful arrangements the academy trust for the school must, after the local authority has determined its arrangements, then decide to adopt and determine identical arrangements.
54. Another shortcoming was revealed when a school decided to consult on its arrangements and then when there were no responses regarded taking the decision to consult as having determined them. The absence of any responses did not prompt the school to consider whether it had consulted all those who should have been made aware of the proposed changes. Nor did the school think it needed to make a formal determination after consultation. It should not be difficult for an admission authority to meet the requirements for determining its arrangements.
55. The Code sets clear requirements for the **publication of admission arrangements** and overall there has been some improvement in the availability of arrangements on schools' websites, but there remain those where it is still no easy matter to find where the arrangements have been stored. Parents, adjudicators and others should be able easily to find the admission arrangements for any school. Paragraph 1.47 of the Code which says, "*Once admission authorities have determined their admission arrangements, they **must** notify the appropriate bodies and **must** publish a copy of the determined arrangements on their website displaying them for the whole offer year (the academic year in which offers for places are made).*" Therefore from 1 May 2015 at the latest the arrangements for admission in 2016 should have been displayed by all admission authorities. When adjudicators began to investigate the objections referred to the OSA there were still instances of them being unable to find on a school's website the arrangements for 2015 which must be published for the full offer year and the arrangements that would apply for 2016.

56. The revised Code requires that in 2016 admission arrangements for admissions in 2017 are determined by 28 February and sent to the local authority as soon as possible before 15 March. A timely submission of arrangements by own admission authorities is essential to enable the local authority to publish as required by paragraph 1.49 of the Code the arrangements or the details of where the arrangements for all schools can be viewed. The governing body of a community or voluntary controlled school, for which the local authority is the admission authority, has responsibilities about what must be shown on the school's website about admissions. The requirements are set out in the School Information (England) (Amendment) Regulations 2012.
57. The most helpful websites have an "admissions" tab which leads to clearly set out arrangements for the relevant year groups. The Code at paragraph 5, footnote 5, says "*Admission arrangements means the overall procedure, practices, criteria and supplementary information used in deciding on the allocation of school places and refers to any device or means used to determine whether a school place is to be offered.*" The published arrangements must therefore be the full arrangements, not just the oversubscription criteria, and must include any supplementary information form if one is used and any other form that without its being completed a child cannot be considered for priority for a place at that school. There continue to be some admission authorities that believe they can decide the ranking of applications using information that has not been collected in an open and transparent way. If a document or an action is necessary for a child to be considered for priority against the oversubscription criteria, most usually against faith-based criteria, then that document or action is part of the arrangements, must comply fully with the Code and must be published as part of the admission arrangements.
58. This year, although adjudicators have found a higher level of compliance with the requirement to publish admission arrangements, there have been several instances when they have found more than one version of the arrangements on a website and as they were not labelled it was unclear which were the determined arrangements for 2016 admissions. Also, where a hyperlink is provided to a set of arrangements the link has, on occasion, been found to go to something quite different, or to out of date arrangements, or to a message saying the page is no longer available.
59. The position remains that although there has been some progress too many schools, both maintained and academy schools, that are their own admission authority, are failing to comply with the duties placed on them about consulting on, determining and publishing their admission arrangements. Parents must be able to see the school's arrangements and, if they think it necessary, object because the arrangements appear not to comply with admissions law and the Code, and be able to do so on time. Schools that are their own admission authority have the

freedom to decide their admission arrangements, but with that freedom comes the duty to act in accordance with admissions law and the Code.

60. There have been fewer objections, down from 26 to seven this year, to arrangements where the sole or main reason for the objection concerns priority for admission for children who attend the school's **nursery provision**. In these cases priority was given to all children attending the nursery rather than using the permission included in the revised Code to give priority to children who are eligible for the early years, pupil or service premium and attend the school's nursery class or a nursery established and run by the school. For reasons given in previous years, for example, whether the school or any associated organisation gains any financial support from parents, or the fairness of the provision, the arrangements were found to contravene the Code.
61. There were 58 objections concerning **starting school for the first time**, almost all of which related to what has become known as the "summer born issue". Making an objection to admission arrangements appears to have been one strand of the "Campaign for Flexible School Admission for Summer Born Children" often referred to as the Summer Born Campaign. The section in the Code on "*Admission of children outside their normal age group*" has been expanded in the revised Code. Paragraph 2.17 says parents may seek a place at a school outside their child's normal, that is their chronological, age group. This may mean accelerated or delayed admission to a school and admission arrangements must say how this can be requested. Paragraphs 2.17 A and B set out how an admission authority must consider and make a decision about a request for admission outside the normal age group.
62. The Code at paragraph 2.16 requires schools to make provision to admit children full-time from 1 September after their fourth birthday. Those children born between 1 September and 31 December reach compulsory school age of 5 years old at the beginning of the term after 1 January and for those born between 1 January and 31 March this is the beginning of the term after 1 April. Until a child reaches compulsory school age parents may choose to delay the admission of their child and/or their child can attend part-time. Paragraph 2.16 makes clear that it is for the parents to decide whether their child attends school prior to reaching compulsory school age and if so, whether attendance is full or part-time. Schools must make full-time provision available from the beginning of the autumn term of the school year in which the child reaches compulsory school age, the September following the child's fourth birthday. The OSA has again had queries from parents about their child's right to a full-time place. Some schools provide an induction period such that it appears schools dictate the sessions for which children can and cannot attend school, including setting requirements that contravene a parent's right to full or part-time or deferred schooling contrary to the requirements of the Code.

63. Children born between 1 April and 31 August each year must attend school, or be educated otherwise than in school, no later than the beginning of the term after their fifth birthday. For the over 250,000 children born in England during these months every year this means no later than 1 September at which point they are of the chronological age of Year 1 at primary school.
64. The objections have sometimes straddled the jurisdiction of the adjudicator in relation to whether the arrangements say how a request for admission outside normal age group can be made and the process to be followed by an admission authority when deciding whether to agree the request or not. Paragraph 2.17 requires arrangements to say how a request can be made, which can be considered by an adjudicator, and paragraphs 2.17A and 2.17B refer to the process used in making a decision which is outside the adjudicator's jurisdiction. Of the 58 objections received there were: 13 upheld; six partially upheld; 20 not upheld; 13 out of jurisdiction; two withdrawn; and four finalised in the new school year.
65. As last year I invited local authorities, if they collect such information, to include data in their annual report to the OSA on the number of requests received in their area for admission of children outside their normal age group. A summary of the responses is included in the second half of this report
66. Objections have again been received about the priority given to **siblings**. A child without a sibling already attending the school may have very little chance of being allocated a place at certain schools, and equally at some schools with no or little priority for siblings children in the same family may not be able to attend the same school. An oversubscription criterion giving siblings priority to enable them to attend the same school, if that is what their parents wish, seems instinctively to be a sensible approach, particularly at primary school. However, concerns emerge if a school is very popular and oversubscribed, or sibling priority is linked with catchment area or feeder schools or siblings attending another school that is said to be linked. Priority for siblings is liked by some families and not by others who feel disadvantaged and have cause to object. The combination of catchment area and priority for siblings has been the subject of objections once again. Some admission authorities give priority for siblings from within the catchment area, then other children in the catchment area, then siblings outside the catchment, and then other out of catchment children. The sibling/in catchment priority applies only if the family still lives inside the catchment area. If sibling and distance taken together are needed to give priority, the arrangements may require that the family continues to live at the same address or nearer to the school in order to retain sibling priority. This is to avoid people moving close to a school to obtain a place for the first child and then moving further away and obtaining a place on sibling priority thereby depriving children who live near the school of being allocated a place.

67. An issue in recent years and again referred to this year is the position of a sibling when the elder child was not allocated a place at the catchment area school and the younger child then does not have priority to join his/her sibling at the out of catchment school. Some local authorities and own admission authorities assign an acquired sibling status to such children to enable, if the family wishes, the children to attend the same school.
68. The fairness of priority for siblings has also been raised when over half the places at a school are allocated to siblings making it more difficult for only or first born children to be allocated a place. As with much that is associated with oversubscription criteria for popular schools, those who have high priority for a place like the criteria and those who do not have such high priority are more likely feel the priority is unfair and not like it. The difficulty is in deciding what the Code permits and then what is fair for the largest number of children. As local circumstances change what was once agreed to be reasonable can become seen as unreasonable. Admission authorities need to review their arrangements so that they consult on them if they have not consulted in the preceding six years or if they are considering any changes to take account of changing circumstances. Priority for siblings continues to be an emotive issue.
69. Objections have been made in relation to **catchment areas** for schools. This has sometimes been linked with distance from the school within the catchment area, priority for siblings, and the removal of a catchment area by one school when other schools retain their catchment areas. Where for many years all the children have been able to attend their catchment area school, if their parents so wish, and there was also some capacity for other children, the designation of the catchment area was unlikely to be challenged. The general increase in the number of children needing a school place, or a change in the local area such as a school becoming an academy and its own admission authority then deciding not to have a catchment area any longer, has meant that families who could be almost sure to be allocated a place at their catchment school no longer have that certainty and may have difficulty in obtaining a place elsewhere.
70. Where a school has a catchment area that adjoins others the shape of each area often takes into account the geography of the locality such that whether a child lives near the outer edge of the area or very near the school a place will still be available. On removing the catchment area and introducing straight line distance to school A, for example, children living near what was the outer edge of the catchment may be displaced by children from outside what was the catchment area and in the catchment for school B, but also near school A so having priority for two schools, leaving other children with no catchment area priority and at a distance from all other schools which limits where they may be offered a place.

71. There is no requirement to have a catchment area so the lack of one or the abolition of a long-established one does not contravene the Code which sets only the terms to be met by a catchment area when one is designated by an admission authority. An adjudicator must assess whether or not the arrangements for an individual school comply with the Code. Schools should consider carefully before they decide to abolish a catchment area that has previously worked well for the families in their area.
72. One matter concerning catchment areas is the ease with which parents can find out whether they are in or out of a catchment. Some local authorities have an easy to use search facility and some own admission authority schools have clear maps that are included as part of the arrangements, but others do not and this detracts from the clarity of the arrangements. If a set of admission arrangements includes a catchment area priority then the arrangements must make clear the boundary of that area. It is not reasonable, for example, for parents to have to visit a school to see a parish map, or to have to construct their own map to find out how the location of their postcode fits with other postcodes, to be able to take this into account in assessing the chances of their child being offered a place at the school.
73. There have been more objections this year about **feeder schools** than in recent years. The Code at paragraph 1.9b prohibits taking into account any previous school attended unless it is a named feeder school. Paragraph 1.15 says, *“Admission authorities may wish to name a primary or middle school as a feeder school. The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.”* The Code also sets out some general requirements for all admission arrangements which adjudicators have taken into account in their consideration of objections about feeder schools.
74. The objections have included the introduction of feeder schools without proper consultation; the effect on local children gaining a place at their local school when feeder schools are introduced that are further away; and the unfairness for children whose parents applied for a Reception Year place for them at one of the newly named feeder schools, but were not allocated one, and who now seven years later have reduced priority for the secondary school and thus are doubly disadvantaged.
75. The designation “feeder school” implies that the children feed through and transfer from this school to the receiving school for the next stage in their education. There should be meaningful links between the feeder and receiving school. There should also be sufficient places at the receiving school for children attending the named feeder schools to have a realistic chance of progressing and places available for children not able to attend the feeder school or schools. Where the sum of the published admission number of the primary/junior feeder schools is

almost the same as or greater than that of the secondary school it is very likely that the naming of the feeders will be judged unfair.

76. Schools that name a type of school as feeder schools and the reason for the naming is because of that type, for example primary schools designated as having the same religious character as the secondary school or members of the same academy trust or in the same local authority, are unlikely to be acceptable as feeder schools as the relationship is based on type and not the active co-operation and links between feeder and receiving school. This does not mean, for example, that primary schools of the same faith designation as the secondary school cannot be named as feeder schools, but the choice of the particular primary schools must genuinely be because they work with the secondary school and pupils can feed from the primary schools into the secondary school allowing children who could not attend the primary schools also to have a chance of a place.
77. The concept of feeder school for infant to junior and in pyramids of first, middle and high school provides a clear pathway for children through their education. The same applies where children from clusters of primary schools progress together to a secondary school with which they all have a close working relationship that supports the children in their learning, but in all cases if a school names feeder schools it must be able to demonstrate that the selection of schools is transparent and made on reasonable grounds. The general requirements of the Code must also be met and if the school is an academy it must meet the requirement of legislation and its funding agreement to provide wholly or mainly for local children.
78. Objections to the **faith-based oversubscription criteria** that schools designated as having a religious character, often referred to as “faith schools”, may use if the school is oversubscribed have accounted for a significant part of adjudicators’ case load. During the first part of the year adjudicators spent time investigating many of the 51 objections to the admission arrangements of the secondary schools that had been lodged by a campaign group, the Fair Admissions Campaign. Objections were made only to the arrangements for faith schools and included aspects of faith-based oversubscription criteria and other general matters such as the lack of a final tie-breaker that the objector believed contravened the Code. In four cases the objection was upheld, 45 were partially upheld, one was not upheld and one was out of jurisdiction. New objections concerning faith-based oversubscription criteria and other aspects of the schools’ arrangements were received during the year from a range of objectors. We also considered objections to the arrangements of a number of schools designated as having a religious character that did not concern matters of faith, but were the same as objections made for other types of schools, for example, the admission of children outside their normal age. In many of these schools, if there were faith-based

oversubscription criteria they were clear and complied with the Code so they were not part of the objection.

79. The arrangements for a school with a religious character must comply with the Code on general matters and if they include faith-based oversubscription criteria they must comply with paragraphs 1.36 to 1.38. The Code at paragraph 1.38 says, *“Admission authorities for schools designated as having a religious character **must** have regard to any guidance from the body or person representing the religion or religious denomination when constructing faith-based admission arrangements, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code.”* There is an exemption to the prohibition in paragraph 1.9i), which says, *“Admission authorities **must not** prioritise children on the basis of their own or their parents’ past or current hobbies or activities (schools which have been designated as having a religious character may take account of religious activities, as laid out by the body or person representing the religion or religious denomination).”* In order for a school to be able to take account of any faith-based activity, the activity must be as laid out by the relevant religious body.
80. The availability and quality of the guidance from the relevant faith body is very variable and occasionally adjudicators have had difficulty in ascertaining the identity of who could act for the faith body or even the identity of the faith body itself. The best guidance is clear, precise and takes full account of the requirements in the Code. Such guidance often includes a specimen supplementary information form that relates to a limited, clear and reasonable faith requirement that is not open to any query about what it means. Some guidance that has been seen this year has been updated to take into account the changes made through the revised Code issued in December 2014 and provides a very helpful steer for schools. More good guidance has been seen than in previous years. However, other guidance is out of date and does not assist schools in determining Code compliant arrangements.
81. Although some matters concerning faith that adjudicators have found not to comply with the Code have been complex and seem to go far beyond what is appropriate for admission arrangements, many of the matters are much the same as in previous years. Some of the schools have faith-based oversubscription criteria with faith requirements that are clear, do not require completion of an extensive supplementary information form, or an such form at all, and parents know exactly whether their child will or will not have priority on grounds of faith. Other schools have oversubscription criteria that are extensive and set 20 or even more different levels of practice linked with catchment and/or sibling or other criteria, even though there are only enough places to allocate the children meeting the fourth or fifth level of priority. Others give priority for attending a place of worship, for example, but the frequency and length of time for which attendance is

necessary to be accorded the priority is not clear; or the practice as set out in the oversubscription criterion and the information requested in the supplementary information form are not consistent so applicants cannot know whether they meet the criterion or not. Such lack of clarity means that the arrangements fall foul of paragraph 1.37 which says, “Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied.”

82. An issue for the OSA and adjudicators has been the understanding of what the Code means by a school with a religious character having to “*have regard to any guidance from the body or person representing the religion or religious denomination...*” Taking together all that the Code says about faith-based oversubscription criteria it is clear that a religious activity cannot be included unless the faith body sets it out, that it is “*as laid out ...*” but even if an activity is laid out as permissible some schools then add requirements of time or duration that the faith body has neither specified nor proscribed. There is scope for greater clarity about what is expected from the designated religious body by way of guidance and what is and is not acceptable in relation to giving some children priority over others for admission to a state-funded school, as well as greater clarity for schools about how they must act with respect to that guidance.
83. The **complexity** of some schools’ admission arrangements continues to be a matter of concern. Adjudicators have noted that the admission arrangements determined by local authorities for community and voluntary controlled schools are almost always clear and uncomplicated so it is easy for parents and others to understand how places will be allocated. The arrangements of some schools of all types that are their own admission authority are equally clear and straightforward, but frequently they are less clear and more, or even very, complicated. Some of the clearest arrangements have three or four oversubscription criteria and a suitable tie-breaker if two or more children have equal priority for the last available place. The arrangements for one large metropolitan area, seen in the course of searching for some general information, had three oversubscription criteria for both primary and secondary schools, namely, looked after and previously looked after children; siblings; distance (with priority on nearness to the school). Another such area had four oversubscription criteria as it added at criterion 2, exceptional medical/social needs. In both instances many of the academy schools in the area use the same arrangements. However, arrangements set by some own admission authority schools have so many levels of priority that often it is unclear how the arrangements could actually be applied. The complex arrangements compared with the clearest have some or all of: numerous oversubscription criteria and sometimes sub-categories within them; different categories of places; more than one catchment area; feeder schools; points with those who gain most having highest priority; banding and therefore tests to be taken; and aptitude assessment. The complex arrangements of some schools do not serve local children well.

84. The purpose of the Code is set out at paragraph 12 as being “*to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are offered in an open and fair way.*” and paragraph 14 of the Code says, “*Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.*” For popular schools that have complicated arrangements, especially if they include tests for banding purposes and/or for places allocated for aptitude and/or for some selective places by ability, the first hurdle in gaining a place is to take the test. In some areas the local authority administers a single set of testing arrangements for all the schools concerned so that children take only one set of tests. In other areas children may have to attend test centres to take different tests for different schools on more than one day.
85. The introduction of banding has been the subject of objections this year. The first requirement in order to be clear is that the arrangements need to be explicit that where banding is used neither children with a statement of SEN or EHC plan nor looked after and previously looked after children have to take the banding tests, but must be offered a place. The reason given for introducing banding is often said to be wanting to ensure the school has a comprehensive intake. What has emerged is that some schools wish to increase their intake of higher ability pupils such that children living near the school, but placed in a band with many similar children may not be allocated a place. Where for example the school has an equal number of places in each band this is unlikely to reflect the distribution of ability in either the local or national population. If places are allocated within a band using sibling and other criteria then it may be that very few applicants are allocated a place because of the band they are in, but all applicants, except children with a statement of SEN or EHC plan or are looked after or previously looked after, must take the tests. Some schools are undersubscribed with first or high preference applicants, yet they feel obliged by their funding agreement to administer banding tests at considerable cost. In one oversubscribed school over 500 children took the tests, but only 50 places were allocated by virtue of being in a band. The cost of filling these places was about £500 per child, when using random allocation to decide which of those who would like a place should be given one would be likely to have had the same overall outcome more cost effectively. Adjudicators must apply the Code when considering objections, but some of the cases involving banding that have been seen raise questions about the effects on children, its purpose and costs.
86. **Sixth form** admission arrangements are rarely the main focus of an objection, but when arrangements for Year 12 are seen in the course of investigating an objection about the arrangements for Year 7, the sixth form arrangements are frequently found to contravene the Code. The OSA often receives enquiries as to whether certain actions by a school, such as requiring a deposit for a place or setting minimum requirements in examinations at the end of Year 12 as a

condition for progressing to Year 13, are permitted. These are not lawful, but dealing with them is not within an adjudicator's jurisdiction so the complaint must be referred to the DfE.

87. The matters of non-compliance of sixth form admission arrangements continue, as in previous years, to include: the lack of a published admission number; confusion about the difference between an admission number for external students joining Year 12 and the capacity of the sixth form; arrangements not published by the date set by the Code; application forms that ask for information prohibited by the Code; and the use of oversubscription criteria that do not comply with the Code. Many schools persist in thinking that the requirements of the Code overall do not apply to admissions into the sixth form. Paragraph 2.6 of the Code does give certain permissions and says, *“Children and their parents applying for sixth form places may use the CAF, although if they are already on roll they are not required to do so in order to transfer into year 12. Admission authorities can, however, set academic entry criteria for their sixth forms, which **must** be the same for both external and internal places. School sixth form admission arrangements for external applicants must be consulted upon, determined and published in accordance with the same timetable as for admission arrangements for other entry points. As with other points of entry to schools, highest priority in oversubscription criteria for sixth form places **must** be given to looked after and previously looked after children who meet the academic entry criteria. As stated in paragraph 1.9m) above, any meetings held to discuss options and courses **must not** form part of the decision process on whether to offer a place.”*
88. As local authorities are not required to have common application forms (CAF) for admissions to Year 12 schools typically devise their own application forms. These forms cannot request information other than that needed to allocate places against oversubscription criteria if there are more applicants than places. Adjudicators have seen forms that ask for information that is not relevant for any admission, such as the ethnicity of the student, and information that may be useful or essential when a student enrolls at the school, but is not relevant for considering the application. Application forms must not ask questions about the language spoken at home; require a financial deposit for any purpose; or ask the applicant or applicant's current school to provide information or a report about their behaviour or attendance. For those Year 11 students whose schools do not have a sixth form or the school's sixth form does not offer a suitable course, students should be able to consider the admission arrangements for other schools with sixth forms and be considered for a place in accordance with the terms set out in the Code.
89. Last year adjudicators reported that local authorities rarely complied fully with the requirement to include details about admissions to sixth forms in a composite prospectus. Paragraph 14 of schedule 2 to the School Information (England)

Regulations 2008 makes clear that the determined admission arrangements for admission to a school above compulsory school age have to be provided in a composite prospectus. Local authorities were asked through the report template how they meet this requirement and the same question has been asked this year findings are given later in this report.

90. It is not surprising that on occasion schools express the view that it is unfair for them to be required to operate within the constraints of the Code when sixth form and further education colleges use whatever process they wish to decide whether or not to offer a place to a prospective student. What is in the best interests of students is a matter for the DfE to consider, but it might be timely to consider whether admission arrangements for school sixth forms should have to comply with all the requirements of the Code or if a different process would be appropriate.
91. **General matters.** I commented last year on the impact of one of the amendments to the School Standards and Framework Act 1998 by the Education Act 2011 that increased the range of people and bodies eligible to object to admission arrangements so that any person or body can object. Referrals have been made again this year that would not have been accepted prior to this legislation. Campaign groups, either directly or through individuals, and some individuals who seem to have particularly strong views about certain matters have submitted objections that appear to be more about trying to influence further changes to admissions law than having justified concerns about the compliance of arrangements for a school. Individual families who may be affected by a set of admission arrangements have a legitimate reason to challenge those arrangements if they believe they contravene the Code. Using the Code to make an objection to arrangements for a school of a particular type or any other school with which the objector has no connection in terms of seeking a place for their child in the year to which the arrangements apply, or may apply in a future year, is not good use of an adjudicator's time and public money.
92. Regulations require that the name and address of an objector are known to the adjudicator. This has meant that some objectors have requested that their name should not be made known to the admission authority or other parties. This is understandable in the case of a parent objecting to the arrangements of a local school, but I am concerned that anyone else should wish to remain anonymous. Objectors do not have to give a reason why they are making an objection, only what it is about the arrangements that they believe contravenes the Code. There would be some merit in considering who should be eligible to make an objection and whether there is a legitimate reason for agreeing the anonymity of an objector.
93. An emerging issue, but outside the OSA's remit, is concern about the forms that own admission authority schools are using for in-year applications. Some that

have been seen in the course of investigating an objection include requests for information about matters which it is difficult to understand why a school should be asking such questions. If a place is available a child seeking a place should be admitted, but at times the impression has been gained that even if the school could accommodate a child, it would be considering whether it wished to give that particular child a place.

94. Overall, we have found that some schools when contacted about an objection to their arrangements were anxious to, and did, put matters right as quickly as possible making use of the provision to vary their arrangements to comply with a mandatory provision of the Code. Others have been reluctant to change and comply with the Code. Questions asked last year remain: why do some schools decide to have complex arrangements and what is their aim? Also, when the objection to the arrangements in 75 per cent of cases was upheld or partially upheld and in some of those not upheld there were some other aspects that did not comply with the Code, how confident can we be that the arrangements for other schools not subject to an objection do not contravene the Code? The majority might be fully compliant, but we do not know.

Variations to determined admission arrangements of maintained schools

95. During the year adjudicators considered 23 new requests for a variation to an admission authority's determined admission arrangements, a return to the level of two years ago. Six cases were carried forward from 2013/14 and six have been carried over into 2015/16. Of the 23 completed cases, 18 variations were approved; two were not approved; two were out of jurisdiction; and one was withdrawn. All decisions to approve or not approve a variation are published on the OSA's website.
96. Once determined for the relevant school year admission arrangements can only be varied, that is changed, in limited, specified circumstances. The Code at paragraphs 3.6 and 3.7 set out the circumstances in which an admission authority may itself vary its arrangements, for example, to comply with a mandatory requirement of the Code. An admission authority may also propose a variation if it considers there has been a major change in circumstances, but such proposals for a maintained school must be referred to the Adjudicator.
97. Requests for a variation for an academy school must be made to the EFA to decide on behalf of the Secretary of State. Decisions made by the EFA are not published. Given the enquiries received by the OSA about making a variation for academy schools, it would seem that uncertainty among schools persists about the roles of the EFA and OSA in relation to a variation to the determined admission arrangements for an academy.

98. A request for a variation remains a relatively rare event. A variation is not required if an admission authority wishes to increase its published admission number, but again this year there have been several requests for a decrease in a published admission number. This has usually been associated with a change in age range of a school where, for example, an infant school and a junior school both become primary schools with the changes in age range being agreed after the admission arrangements have been determined. While the admission number for each school is decreased, the number of places overall in the area is increased.
99. The improvement noted last year in admission authorities meeting the requirement to notify relevant bodies of proposed variations has been maintained. It has been common to find that the admission authority exceeded the requirement for notification and, wisely where time permitted, consulting on changes that it was proposing to make via a variation to its determined admission arrangements.

Directions to maintained schools to admit a child

100. Under Sections 96 and 97 of the School Standards and Framework Act 1998, in certain circumstances, the admission authority for a maintained school may appeal to the Schools Adjudicator if notified by a local authority of its intention to direct the school to admit a child and the admission authority believes it has a valid reason not to do so. If a local authority considers that an academy school would be the appropriate school for a child without a school place and the academy school does not wish to admit the child, the local authority may make a request to the EFA to direct, on behalf of the Secretary of State, the academy school to admit the child.
101. During the school year 2014/15 the OSA received 14 referrals. All cases were resolved during the year. Of these cases, three were withdrawn, nine were out of jurisdiction, and in two the appeal from the school was not upheld and the local authority was given permission to direct the school to admit the child. The EFA referred one case to the OSA seeking advice, and in that case the recommendation was that the school should not be required to admit the child.
102. Directing a school to admit a child is the measure of last resort to provide a school place for that child so it is good to report that the number of cases has remained low. However, the same problems have arisen again this year resulting in a case being out of jurisdiction because the local authority had not met the terms of the Act before giving notice of its intention to direct the school to admit the child. It is not sufficient for making a direction to a maintained school to have followed the authority's fair access protocol and then move to direct without evidence of having complied with the statutory requirements. Failure to have met the terms of the Act can result in a child being out of school for longer than would otherwise have been necessary.

103. The time for making an appeal, namely, 15 consecutive days, or seven consecutive days in the case of a looked after child, seems to have been better understood this year. It remains a concern that some of the appeals amounted to little more than not wanting to admit the child rather than there being any valid reason for the appeal. Data about the total number of directions are included in the section on reports from local authorities.

Statutory proposals

Discontinuance and establishment of, and prescribed alterations to, maintained schools

104. During 2014/15 the number of statutory proposals referred to the OSA fell to eight compared with 20 in 2013/14. This level is nearer that of two years ago and the number expected taking into account the changes in school organisation regulations in recent years. There were two cases carried forward from 2013/14, one was withdrawn and two were found to be outside the adjudicator's jurisdiction. Of the six decisions issued all the proposals were approved. One case has been carried forward to 2015/16.
105. The most common type of case continued to be where the adjudicator is the decision maker for proposals to discontinue community infant and junior schools and to establish a community primary school, often called amalgamations. Three such proposals were approved.
106. There was one case approved concerning a change of category from community special school to foundation special school and two proposals to discontinue a school which were approved. There was uncertainty on the part of a local authority in each of the two cases that were out of jurisdiction. The slight changes in the new regulations issued in 2013 governing the discontinuance and establishment of schools and for making a prescribed alteration to a school that had not been fully understood as there was no need to refer the matter to the adjudicator. The need to be sure whether the old or the new regulations and statutory guidance were to be applied for each case kept adjudicators as well as local authorities looking very carefully at the legislation to ensure mistakes were not made.

Land transfers for maintained schools

107. Once again disputes about the transfer of land when a school changes category or acquires a foundation have made up a small, but time-consuming, part of the OSA's work. The Education and Inspections Act 2006 made provision for some land transfer issues to be referred to the adjudicator and since then a total of 66 cases have been received. Six cases were carried forward from 2013/14 and four new referrals were received. Eight cases were completed and two cases remained to be resolved. Some enquiries to the OSA about land issues have been resolved simply by answering questions put to us without ever setting up a case, for example, if the matter concerns the disposal of a playing field it must be referred to the DfE.
108. Although the transfer of land takes place by operation of law when a community school becomes a foundation school, if there is no agreement as to which land should transfer within six months of the change of status occurring either party may apply to the adjudicator for a direction to resolve the disagreement. What seems not to be understood by schools and their lawyers are the tight terms that apply when deciding who should have the land or property that is the subject of the dispute.
109. Three cases were ruled outside the adjudicator's jurisdiction, one long-running case was resolved when the school withdrew its claim to farming land and there were two disputes over houses that had formerly been caretakers' houses. Perhaps the most unusual case was having to decide the ownership of a piece of land that no-one wanted; not the school, the local authority or local residents. The cases can also take a long time to reach a decision as it can be difficult to obtain the necessary information from the parties. The prediction that the number of cases would remain small has been justified and there is no reason to anticipate any change in the near future. The only concern is that there have been more enquiries about just who can make certain decisions, for example when the dispute is not one at the time of change of community to foundation status, or a third party is involved. In order to be certain whether the matter is one that can be considered by the OSA a substantial amount of work has to be done to clarify just who does have jurisdiction.

Summary of Local Authority Reports 2015

110. Section 88P of the School Standards and Framework Act 1998 requires all local authorities in England to, “... *make such reports to the adjudicator about such matters connected with relevant school admissions as may be required by the code for school admissions.*” Paragraph 3.23 of the Code stipulates that, “*Local authorities **must** produce an annual report on admissions for all the schools in their area for which they co-ordinate admissions, to be published locally and sent to the Adjudicator by **30 June** following the admissions round.*” The Code also sets out in the same paragraph what must be included as a minimum and these matters are summarised below.
111. Local authorities are invited to complete a template that covers those matters the Code specifies must be included in their reports. As previously, I have sought additional information to enable me to write on other issues I think it would be useful to include in this report to the Secretary of State for Education and I am grateful to local authority staff who have taken the trouble to provide information on these issues.
112. This year 118 local authorities, compared with 113 last year, met the requirement to submit their report on time; a further 20 reports had been submitted by mid-July and all 152 had been received by 6 August, a rather slower response overall than in the previous year. Although about the same number of reports was submitted by 30 June this year, almost one in four was delayed by up to five weeks and OSA officials were required to issue reminders, including some to local authorities where data was missing from the report. Submission of complete reports by the date specified in the Code is greatly appreciated; it is, I know, a time of the year when local authority staff are busy with admission appeals.
113. This summary of the reports is based on the evidence of what local authorities say is happening in their area. While asked to write about those matters specified by the Code and those additional issues on which I asked for comments, they are also invited to raise other concerns if they wish. Some of what local authority staff say echoes what adjudicators have found when dealing with objections about admission arrangements. Other matters continue to be raised, notably concerning appeals, about which the OSA has no first hand evidence as they are outside our remit. The OSA is simply required to summarise what local authorities report, but not to undertake exercises to gather evidence to corroborate the findings.
114. The total number of schools by type in England on which the local authorities report, and to which this summary refers, is shown in the following table.

Table 2 - Number of schools by type

Category of school	Number of schools for pupils up to age 11	Number of schools for pupils aged over 11	Number of all-through schools	Total number of schools
Community	8,116	612	107	8,835
Voluntary Controlled	2,193	30	1	2,224
Voluntary Aided	3,433	288	6	3,727
Foundation	683	312	7	1,002
Academy	2,526	1,859	64	4,449
Free School	102	80	20	202
UTC	n/a	27	n/a	27
Studio School	n/a	55	n/a	55
Total	17,053	3,263	205	20,521

Specific groups

115. The Code requires local authorities to provide information about how admission arrangements for schools in their area serve the interests of: looked after children and previously looked after children; children with disabilities; and children with special educational needs, including any details where problems have arisen.

Looked after children and previously looked after children

116. All local authorities once again report that, as required by the Code, looked after children and previously looked after children are given the highest priority in the oversubscription criteria for admission to schools in their area. Five local authorities feel that the interests of looked after children are less than fully served, compared with two last year, and ten again express some concerns about how well the interests of previously looked after children are met; however, none feel that the interests of either group are not satisfactorily served. As reported last year, a small number of local authorities state that some own admission authority schools still do not make explicit mention of prioritising the admission of previously looked after children in their arrangements; notes explaining the designation of these children are sometimes neither complete nor accurate. Nevertheless, most local authorities present a positive picture; several again note with appreciation the willingness of many schools to admit looked after and previously looked after children in excess of their published admission number (PAN) if the school is deemed the most suitable provision for a child by the local authority.

117. Non-statutory guidance issued by the DfE in May 2014 that priority for admission should be given to all children adopted from care who are of compulsory school age and not just those adopted from care under the 2002 Children's Act has been welcomed, in that the number of differences previously reported between local authorities' and own admission authorities' understanding of who qualifies as a previously looked after child has lessened. Many local authorities detail the considerable efforts made to ensure that all previously looked after children are identified during the admissions process. A few report instances of parents or carers not declaring the child's "previously looked after" status at the time of application, with the result that the child has to be allocated a place over PAN after the allocation date; this situation sometimes arises when the adult is reluctant to divulge a child's history. Some parents are concerned about confidentiality; a few local authorities report again that some are troubled also by other parents' queries about how a previously looked after child, unknown as such to them, has been allocated a place at a popular, oversubscribed school.
118. Many local authorities continue to praise successful placements for looked after and previously looked after children achieved through collaborative working between admission teams, social workers and others, such as health authorities. Liaison of this kind is particularly effective in ensuring that children who need a school place outside the normal admissions round are found appropriate placements as quickly as possible. Some reports, however, mention difficulties in obtaining confirmation, particularly from other local authorities, that a child was previously looked after and that s/he has a relevant adoption, child arrangements order or special guardianship order that meets the necessary legal definition. Obtaining the paperwork required is time consuming and causes delays to the admission process, increasing the length of time a potentially vulnerable child is out of school.
119. A significant issue highlighted in detail this year by one local authority and echoed by several others concerns the placement of unaccompanied asylum-seeking children in care as well as the influx of children in care from other local authorities where there are seen to be insufficient homes, carers or other therapeutic services, or where these facilities are deemed too expensive. The receiving local authorities, while content that they and their schools are seen to meet the needs of these children, are concerned that little if any advice is sought about the availability of suitable school places for such children before moving them into the area. Where the receiving authority has been identified because, for example, housing is cheap, already vulnerable children may be placed in an environment that is potentially stressful or damaging and where there may be a shortage of suitable school places.
120. As in previous years, a number of local authorities express concern that some schools designated as having a religious character give priority, as permitted by

the Code, to looked after, previously looked after and all other children of the faith before looked after and previously looked after children not of the faith. This has resulted in its being difficult, or even impossible, for a looked after or previously looked after child other than of the faith to be admitted to some popular, high achieving faith schools. This is not the whole picture, however, and a few local authorities report this year an increasing number of faith schools that give priority to all looked after and previously looked after children whether or not of the faith, sometimes following guidance from their religious body in making this inclusive provision.

121. From the vast majority of the local authority reports, it is clear that the priority for admission of looked after and previously looked after children is working as intended by the Code in a positive way and that, in general, the agencies concerned co-operate successfully to ensure the best possible outcomes for these children.

Children with disabilities

122. Almost one in seven local authorities reports that the interests of children with disabilities are served only partially, although none believes provision to be unsatisfactory. Most report that as admission authorities themselves they include exceptional social, medical or physical conditions as an oversubscription criterion within their admission arrangements for community and voluntary controlled schools, many give the criterion a high priority, in some cases immediately following that for looked after and previously looked after children. At least one local authority extends the remit of this criterion to take account also of a parent's disability. Admission authorities usually require an application for priority against this criterion to be supported by evidence from a relevant professional as to why the child should be allocated a place at a particular school. Some local authorities make no such provision, stating that many children with a disability have a statement of special educational needs (SEN) or Education, Health and Care (EHC) plan and that this gives them priority in the admissions process. A similar mixed situation is reported for schools that are their own admission authority. A few local authorities that describe themselves as "traditionally low statementing" note that this might disadvantage some children in the application process, but it is not seen to be a major problem provided support services work closely together.
123. A few local authority reports suggest that children are disadvantaged by the lack of a specific oversubscription criterion that prioritises children with disabilities. A few local authorities report occasional difficulties in securing the in-year admission of such children through the fair access protocol, with schools sometimes pleading a lack of appropriate facilities, resources, or teaching expertise. Although such difficulties are usually overcome through patient negotiation, the resulting delay prevents timely access to the provision the children need. Several reports note

instances of schools telling parents that they would not be able to meet a child's needs, thus discouraging an application, or encouraging a parent to decline a place that has been offered.

124. A small number of local authorities express concern that not all parents of children with disabilities understand the need to obtain and submit evidence to support an application against a specific criterion that would provide priority for a place and that as a result it proves difficult to admit the child to the school that is most suitable after places have been offered on national offer day. In this situation, nonetheless, a child's individual circumstances, including disabilities where there is no statement of SEN or an EHC plan, can be considered by an appeal panel only after the completion of the allocation process, which may add to the anxiety already felt by the child and his or her family at the time of transfer. Difficulties arise regarding applications for Reception, when it is often not possible to offer above the published admission number (PAN) places as the child is not a permitted exception to the infant class size legislation. The problem is even greater for in-year admissions, where places in schools with specific facilities are rarely available for incoming children who may have a high level of disability, but who are awaiting an EHC assessment, but cannot be admitted without a plan that names the school.
125. As in previous years, many local authorities report ongoing programmes to adapt buildings so that more schools are made accessible to children with disabilities. As might be expected, it is also reported that funding such adaptations is increasingly difficult, especially in areas where many of the school buildings are old, cramped, or unsuitable in other ways for changes to be made in a straightforward or cost effective way.

Children who have special educational needs

126. The vast majority of local authorities, more than 95 per cent, report that the interests of children who have a statement of SEN or EHC plan are met in full and none report a situation that is unsatisfactory. There are very few difficulties in ensuring that such admissions comply with statutory requirements to admit such a child, and many reports acknowledge close working between admission and SEN teams and good levels of co-operation with schools that are their own admission authorities. Many local authorities detail additional support for such children that is made available either in special schools or units or through specific support packages, including transport to and from school.
127. A small number of reports point to difficulties in gaining accurate and timely information about these children from other local authorities and refer to the lack of statutory requirements regarding communication during cross-border placements. This may cause tensions in the allocation process when some secondary schools, especially those close to the borders of several authorities, feel inundated with

unco-ordinated requests from a variety of sources for places for children with a statement of SEN or an EHC plan, with these children taking precedence in a process that is otherwise co-ordinated by the maintaining local authority. Several reports note that this situation can lead to the late admission of children over and above PAN, where possibly appeals have been held and additional children have already been admitted, putting pressure on a school's resources.

128. Local authorities often report that some own admission authority schools are still not conversant with the requirements either of their funding agreement or of legislation concerning their obligation to provide for children with a statement of SEN or an EHC plan that names the school. In such cases, as noted above regarding children with disabilities, parents may be told that the school would not be able to meet the child's needs, thus discouraging an application or encouraging a parent to decline a place already offered. In this situation, no school (other than an academy, and then only through an appeal to the Secretary of State) has the option to refuse, or to try to discourage, the admission of a child to the school. Local authorities raising this point admit that although this is a significant concern, it is hard to evidence and there is much reliance on anecdote. One local authority at least takes a firm line in stating, *"schools who refuse places are challenged about the reasonable steps they can put in place to include a child with a statement. This has resulted in all of the children with statements and EHCP's being offered a place in line with parental preference."*
129. As noted above, children who have a special need, but do not have a statement of SEN or a EHC plan, are generally admitted to a school under a social or medical criterion, or through a fair access protocol, without difficulty other than occasional delays. Compared with statemented children, a smaller proportion of local authorities, about 80 per cent, report that the interests of these children are fully met, but only one reports an unsatisfactory situation. An emerging issue in local authorities that have increasing migrant populations is children who would otherwise have statements arriving with no papers, or with papers that are not recognised in the United Kingdom, and who have to be placed in mainstream schools while the statementing process begins. This may take some time, and in the meantime the school may have few if any resources to cope with the child's needs; added to which, the families are often mobile and may come and go, in and out of the local authority's area. It is therefore difficult to meet the needs of these children, or to know how to improve the situation. That problem aside, the majority of local authorities emphasise the effective work done to ensure all children with special needs are admitted to a suitable school as quickly as possible and with the best possible preparation. A number of local authorities involve special needs, inclusion and transport teams alongside other relevant professionals, to assist in placing children swiftly in the appropriate setting.

130. A few local authorities report that they make clear in admissions literature the parameters that might apply in allocating a place in a specific school to a child with SEN, but without a statement or EHC plan. One, for example, includes a statement that applications on behalf of children with specific learning or behavioural needs are not generally upheld, as it considers that all its schools are able to support children with a wide range of individual needs. Many others state a general expectation that all schools should be able to meet most children's needs and that it is not usually thought necessary to specify a particular placement where there is no statement of SEN or EHC plan that names a school. Many report positively on excellent collaborative practice between schools.

Co-ordination of admissions

During the normal admissions round

131. Local authorities were again asked to assess the effectiveness of co-ordination of primary and secondary admissions for the normal admissions round, that is for entry to schools in September 2015, highlighting any particular strengths in the process and any problems. The national offer day continues to be welcomed by all. Most report that in their view the co-ordination of the process for admissions to both primary and secondary schools again worked as well, or better, than in the previous year. Only six local authorities reported primary offer day to have gone less well, and two said the same about the secondary offer day. A number of local authorities note a continuing improvement in the general efficiency of the application process, with the proportion of online applications still rising compared with paper-based applications. The use of varied means of communication such as text services to contact parents and carers has enabled processes to be dealt with more quickly than in the past, especially where any queries or problems may arise.
132. Among the reported successes of new and more efficient procedures is a significant reduction in the incidence of duplicate school offers, freeing up more spaces that can be re-offered quickly to children still in need of a place, especially in London. A number of local authorities report a further improvement in the proportion of applicants being offered their highest preference school, although this varies depending on the availability of sufficient school places in some areas. Many reports again make positive comments about improvements in the speed and quality of the exchange of information between local authorities and about the clarity that has been brought to the process when previously some applicants, for example, might have been confused by receiving multiple offers at different times from different authorities. Nevertheless, many concerns are still voiced regarding incompatible computer systems both within and between local authorities, which sometimes results in staff having to resort to time-consuming manual operations that should no longer be necessary. A number of reports draw attention to the

lack of consensus about the actual offer day should the set date fall at a weekend; some local authorities issue allocations on Friday and others wait until Monday, causing frustration, or stress and anxiety, to applicants.

133. The reports make numerous comments on issues of common concern regarding the application process for primary schools. Most frequently expressed is a request for the DfE to consider moving the date for national allocation day to earlier in the year; as currently set, year to year shifts in the date of the Easter holiday can complicate the allocation of places. Easter school closures cause problems for parents who wish to contact schools directly about a concern, or simply to accept an offer, but may be unable to do so because schools are not open, or families are away from home on holiday. Against this, other local authorities, especially those with large numbers of applications to process, feel that there is barely sufficient time between the closing date for primary applications of 15 January and the national offer date of 16 April to complete all necessary processes with the thoroughness required to avoid errors and the consequent upset and uncertainty to applicants, notably the need to accommodate appeals within the required timescale after initial notifications of allocations have been issued. Where there are difficulties related to the volume of applications and appeals, the problem may be compounded by the overlap with the secondary national offer day. There is more general agreement among local authorities, where any comment has been made, that the application period itself, some four and a half months from September to mid-January, is too long and that shortening this period might enable the overall timescale to be tightened with the resulting benefits to parents of more time to arrange early appeals where needed and for schools to give more time to planning and making induction arrangements for the next school year.
134. Many local authorities continue to suggest strongly that it would be helpful if the DfE were to implement a centralised advertising campaign, using a variety of media and outlets, in order to highlight to parents the closing date for applications to primary schools. They say that a brief, but intense national campaign to publicise this deadline would be valuable not only in reducing the overall number of late applications but in providing some additional support to vulnerable families which, a number of local authorities report, are responsible for a disproportionate number of delayed or incomplete applications. This might also minimise, for example, the impact of late applications from parents who are not known to their local authority and who thus miss targeted local advertising campaigns.
135. Several authorities report that schools which had only recently become their own admission authority were often in need of help in ranking applications according to their oversubscription criteria, while others note that the timing of new academy agreements with the DfE led to some such schools being confirmed after the application process had started or even after the closing date had been reached.

In spite of local authority support, a number of these schools did not ensure that admission arrangements were available to applicants in a timely manner. A difficulty highlighted by several reports is that while free schools are required to demonstrate that they have pupils who have been offered places, without signed funding agreements a local authority cannot formally offer places at schools that do not legally exist. In some local authorities, parallel application and allocation processes had to be implemented, increasing complexity and uncertainty for parents and schools alike. As many reports point out, irrespective of the school's status, it is the local authority to which applicants turn for answers when left confused by any part of the process. One report emphasises this concern in the context of recent school closures brought about, *inter alia*, by changes in status and late increases in the PAN of some schools, by noting that parents do not see a distinction between academies and any other school and so blame the local authority for any perceived difficulty such decisions may have caused.

136. Many local authorities would welcome additional statutory requirements in the process of administering applications. An agreed national deadline for completing the exchange of application data between admission authorities would facilitate the process, especially where an authority is part of a grouping such as Pan London but also has to deal separately with other neighbouring authorities. A substantial minority of reports again refer to delays caused by awaiting data from other local authorities while others feel that the lack of agreed timescales for late applications, changed preferences and new allocation rounds following the national offer day makes it difficult to help or advise parents applying across local authority borders. Local authorities have different policies regarding acceptable application addresses, including the use of rented properties, and a number of reports state that it would be helpful, and improve transparency, if central guidance were provided to regularise this situation. Several reports comment that it would be helpful to local authorities if new free schools and academies were also required to be part of the co-ordinated process in their first year of opening, which would reduce both the duplication of offers and the chances of children not receiving any offer, for example where an application had been made directly to a free school as the sole preference.
137. The increase in the number of own admission authority schools is noted by a number of reports as increasing the complexity of the admissions process, given the volume of data that is exchanged between these schools, the home local authority and other local authorities. Local authorities report that a number of own admission authority schools, especially, but not only, those which have recently become responsible for admissions, struggle to comprehend the requirements of co-ordination and that late returns and changes to ranked lists of applications cause delays and risk statutory timescales not being met. A number of reports suggest that some own admission authorities buy services from providers who do

not have sufficient capacity at peak times to meet national deadlines when processing applications.

138. Of those local authorities with UTC or studio schools, about three quarters co-ordinate arrangements on their behalf. Where there are such schools, many reports acknowledge continued improvement in the co-ordination of admissions, although some of these schools continue to admit children directly despite being part of the local authority's co-ordinated arrangements. A small number of local authorities remain concerned that neighbouring authorities accept applications from, and make offers directly to, applicants for these schools who should have been processed via their home authority. An issue raised in several reports is that the closing date for applications of 31 October is too early for many parents to think about Year 10 places for the following year, with the consequence that many – sometimes even the majority – of applications are submitted much later than this date. Other concerns are that UTCs and studio schools, like other schools that are their own admission authorities, are not always aware that they are bound by the Code and do not always determine or publish compliant admission arrangements.

In-year admissions

139. From September 2013 local authorities were no longer required to co-ordinate in-year admissions. I asked authorities last year to report for how many schools, and of which type, they would continue to co-ordinate. I have repeated that request this year to compare data and to identify any emerging trends or significant changes. Last year, reports showed that 130 local authorities, or 86 per cent, were continuing the co-ordination of in-year admissions for at least some schools, and the remaining 22 would not co-ordinate for any. The comparable figures this year show a little change: 128 local authorities, or 84 per cent, are continuing the co-ordination of in-year admissions to at least some schools. The following table compares the co-ordination of in-year admissions by age and school type as reported in 2015 with the comparable figures for 2014 in brackets.

Table 3 - Local Authority co-ordination of in-year admissions by age/school type

	Community	VC	VA	Foundation	Academy	Free	UTC	Studio	Total
Primary (2014)	6,326 (6,347)	1,517 (1,444)	1,782 (1,769)	463 (399)	1,719 (1,212)	54 (47)	n/a (n/a)	n/a (n/a)	11,861 (11,218)
Secondary (2014)	446 (493)	20 (20)	163 (173)	165 (171)	1,067 (965)	37 (36)	12 (8)	11 (12)	1,921 (1,878)
All-through (2014)	13 (94)	0 (1)	3 (40)	5 (35)	37 (36)	14 (12)	n/a (n/a)	n/a (n/a)	72 (218)
Total (2014)	6,785 (6,934)	1,537 (1,465)	1,948 (1,982)	633 (605)	2,823 (2,213)	105 (95)	12 (8)	11 (12)	13,854 (13,314)
All schools (2014)	8,835 (9,443)	2,224 (2,341)	3,727 (3,771)	1,002 (1,029)	4,449 (3,804)	202 (158)	27 (26)	55 (30)	20,521 (20,602)

140. The table shows some small but interesting changes from last year. The proportions of community, voluntary controlled, foundation and academy schools using local authority co-ordination services for in-year admissions has increased by between four and six percentage points, while there have been decreases in the relatively small overall number of all-through schools and of free schools using local authority co-ordination. Almost 90 per cent of local authorities report that in-year admissions have worked as well or better than last year, although it is only about 15 per cent that report that the process has been better.
141. Schools that are managing their own in-year admissions must comply with the requirements in paragraph 2.22 of the Code to keep the local authority properly informed about applications and outcomes and to tell parents of their right to appeal if told that there is no place for their child. A third of local authorities lack confidence that these schools keep them updated promptly, or at all, about in-year admission requests and outcomes, and only one in five is very confident that they have a full picture. Particular concerns are around possible safeguarding issues when vulnerable families may be struggling to secure a place for a child and local authorities are not made aware of this quickly enough to limit the length of time that the child is out of school. Some schools are reported as offering places directly without informing the local authority, or only providing information after a child has started at the school. Poor, or non-existent, communication between own admission authority schools and local authorities can make it difficult for the latter to advise parents effectively of where vacancies may exist or, indeed, to identify and challenge poor or unlawful practice by own admission authority schools. One local authority analysed 25 cases brought to the attention of its admissions team where children had been out of school for longer than 4 weeks and found that 15 were as a result of schools not responding to applications as

required and not adhering to local guidance in relation to the in-year admissions process. Another commented that while in the past it had been “*particularly vocal about there being no need for local authorities*” to co-ordinate in-year admissions, this was on the premise that sufficient legal safeguards were put in place to ensure the local authority was kept well informed; it comments that the lack of a timescale in the Code for passing on information is not helpful and does not allow local authorities to maintain up to date information for parents or to ensure that schools are acting lawfully in this matter.

142. Several reports indicate that in-year admission arrangements can cause confusion and consternation among parents. With the situation that local authorities may co-ordinate in-year admission arrangements in all, some or none of the schools in their area, and that there may or may not be co-ordination in these matters between different local authorities, parents are often at a loss to know where or how they should apply for an in-year place. This, again, is recognised in many reports as a particular problem for families deemed vulnerable and those for whom English is not their first language.
143. I asked local authorities to report this year on how many schools parents might approach before obtaining an in-year place. Inevitably, where local authorities are able to provide information, much of this is anecdotal; and local authorities are not always aware of approaches made by parents to schools that do not result in an actual application. However, a sizeable minority of local authorities suggest that parents typically approach at least three or four schools, and sometimes as many as five or six, before receiving the offer of a place. What seems clear from the limited number of detailed responses to this question, however, is that there are a great many inconsistencies in the process, and in the experience of that process, for applicants. A number of local authorities are concerned that some schools are – anecdotally – adopting practices that enable them to “cherry pick” children rather than applying their published oversubscription criteria, including the unlawful practice of interviewing children before confirming the offer of a place, in both primary and secondary schools. Where a family with children of different ages moves into an area, it is frequently reported as becoming increasingly challenging for parents to find a local school with space across a range of year groups; in this situation, a family will often ask the local authority to negotiate on its behalf, but may have to go to appeal, and the entire process may be difficult for parents to navigate now that so many schools are their own admission authority.
144. A large number of reports indicate that too many children are left without school places for an undue length of time, giving rise again to concerns around safeguarding. This sometimes happens when own admission authority schools make background checks on children for whom in-year admission is sought before giving a decision. Not only is this time consuming, but the practice may be non-compliant with those parts of the Code that prohibit enquiries into a child’s

previous attendance and attitude, or the taking account of previous schools attended. Moreover, if the school has available places in the relevant year group they should be offered freely and without condition. A frequent concern raised is the unwillingness of schools to admit children partway through examination courses if the range of subjects or syllabuses differs from those offered by the school, or just before end of key stage tests in Year 6, with a few local authorities reporting that parents are sometimes strongly encouraged by schools to consider education at home for a child in this situation.

145. Data for the number of in-year places allocated in the period from 1 September 2014 to 15 June 2015 show a slight increase compared with the previous year, from 379,813 places in 2013/14 to 380,053 places this year. This figure is noticeably lower than the 392,462 children who needed in-year places in 2012/13. Given local authorities' concerns about the lack of, and the reliability of, information they receive from many schools, it is still impossible for me to say why the figures vary. The welcome continuation of a lower number this year may be because fewer children have needed a place other than at the normal time of admission; or it may be because of the concerns expressed by local authorities about own admission authority schools not informing their local authority about places that are available and admissions when they are made.
146. This section of my report may seem rather gloomy reading. However, in-year admissions are only one aspect of the admissions process, and the numbers are not increasing again after the substantial reduction recorded last year. Overall, as reported in the previous section, there is a positive picture of admissions processes and outcomes. Regarding in-year admissions too, there is good practice in those areas where sustained effort has gone into establishing and maintaining a co-operative and positive attitude between the local authority and the schools in its area, regardless of their status. Yet however small a proportion of admissions overall may be represented by in-year admissions they, by their very nature, concern children who need a school place as quickly as possible and are likely to be within a vulnerable or stressful situation of one kind or another. It is important therefore that concerns raised by local authorities are heard. While many are content with the current situation, there are at least as many that would welcome a return to the pre-September 2013 requirement, it being, as one report put it, *"in the interests of parents and children for there to be mandatory in-year co-ordination, particularly as pressure on places increases with larger cohorts."*

Fair Access Protocol

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

148. Local authorities were asked to assess how well the protocol has worked during the year in placing without undue delay children who need a school place, and to give the numbers of children placed using the protocol. Data from reports show the total number of children admitted to a school using the protocol, the number refused a place and the number admitted via a direction.

Table 4 - Use of Fair Access Protocols

	Primary	Secondary	All-through	Total
Admitted via the protocol (2014)	8,958 (8,474)	8,563 (8,824)	234 (348)	17,755 (17,646)
Refused admission (2014)	403 (235)	720 (609)	4 (13)	1,127 (857)
Admitted via a direction (2014)	13 (14)	25 (21)	0 (0)	38 (35)

149. The number of admissions of primary age children using the protocol shows some increase from the previous year's figure, but by far the greater percentage increase is in the number of primary age children refused admission. The corresponding number in 2012/13 was 86, so there is a clear upward trend emerging here. While the corresponding data for secondary schools also show increases in the number refused admission, they are far less dramatic. Although a few local authorities express concern that data are incomplete, these are nevertheless small numbers in the context of the total number of admissions. Of the 278,823 places allocated to primary age children and the 100,916 secondary age places allocated through in-year applications, just 3.2 per cent of primary aged pupils and less than 8.5 per cent of secondary aged pupils had to be found a place through the protocol; only 0.005 per cent of primary pupils and 0.02 per cent of secondary pupils were found a place through a direction to admit, proportions unchanged since last year.

150. Overall, the data suggest that protocols work effectively and this is borne out in comments in many reports. Several say that schools routinely admit children with challenging educational needs according to various rota systems, while others detail points systems or ranking indices to ensure fairness and parity when allocating children to schools. One local authority reserves two assessment places in a pupil referral unit for children awaiting placement under the protocol while information is collated and before it is decided whether a mainstream placement would be suitable, thus ensuring that the children are not out of school during this time. While reports refer, as previously, to the challenges faced by local authorities and schools in admitting pupils to years 10 and 11, several again describe successful collaboration with local colleges and alternative providers in assembling bespoke packages that enable young people to participate successfully in

education. At least two local authorities facing the challenge of large numbers of migrant children arriving in their areas have commissioned local colleges of further education to admit children who would be in key stage 4, and who speak little or no English, to provide an intensive English for speakers of other languages (ESOL) course. While the admission of children into key stage 4 poses a challenge to local authorities, overall there is a healthy picture of innovative thinking and successful joint working that results in successful placements and positive outcomes for many of these children. The involvement of a range of agencies and providers, and the identification of key workers, is a common thread in reports from those local authorities where the implementation of the protocol is seen to be effective in these situations.

151. Although most local authorities state that they have agreed the protocol with the majority of schools, a minority report difficulties with some schools either not agreeing the protocol, or agreeing it but implementing it only after considerable efforts at persuasion, if then. The most common reasons given by schools for not agreeing or implementing the protocol are perceived unfairness in the allocation of children, potential detriment to the welfare and education of other children, or lack of resources. Reluctance to admit is often reported as based on concerns about the impact the child may have on the school's performance data. Some schools in several areas are reported as advising the local authority that teaching groups are full even though year group numbers are below the PAN at the time of that cohort's entry to the school. One local authority employs an escalation procedure to resolve issues before reaching the point of direction, and reports that this has worked successfully on two occasions this year but others have had to refer to the EFA to secure directions to academy schools, which delays the child's re-entry to education. The increase in the numbers of children refused admission underlines the problems described by some local authorities in persuading schools not merely to agree the protocol but also to accept their part in making it work.
152. A small number of authorities report a breakdown in relationships between schools that, for example, leads to a school adopting the stance that it will not accept children who have attended one or more other named schools. A few reports note that staff attending panel meetings and who agree to accept a child under the protocol are later overruled by their head teacher, with the result that often lengthy negotiations have to be started. Such problems are sometimes encountered in the context of schools wishing to use paragraph 3.12 of the Code to refuse places for children with challenging behaviour and a number of local authorities say they would welcome greater definition in the Code of what is "*a particularly high proportion of children with challenging behaviour.*"
153. Four local authorities reported that they do not have a protocol agreed with the majority of their schools; one of these is an authority with only one all-through school and the other three include an Inner London borough and two northern

metropolitan borough councils. Nineteen local authorities, or about 13 per cent, had encountered some difficulties in implementing the protocol and about half that number felt the protocol had been less effective than in the previous year.

Although relatively few schools overall have refused to agree the local protocol, the distribution of these is of some interest. Data submitted indicate that a protocol has not been agreed with 285 out of 17,053 primary schools, 83 out of 3,263 secondary schools and three out of 205 all through schools. These data show that fewer than one in 60 of all primary schools and fewer than one in 40 of all secondary schools have not agreed the protocol with their local authority. However, of 155 community primary schools that are reported not to have agreed the protocol, 139 are in just four local authorities, and so a more representative picture is that, across most of the local authority areas in England, fewer than one in a hundred primary schools have not agreed the protocol.

154. Difficulties are encountered most frequently with own admission authority schools, including academies. For primary schools that are their own admission authority, the proportion of schools not agreeing the protocol has risen from just under to just over four per cent while for secondary own admission authorities the proportion has stayed at just under four per cent. These are not large numbers but the proportion of schools not agreeing protocols remains noticeably greater among academy schools in both phases, continuing the pattern noted in previous reports. I must repeat this year that, despite what some schools seem to believe, all are bound by the protocol that applies in their authority, whether they have formally agreed it or not.
155. Despite the need to repeat that requirement, I note that the majority of local authorities' reports show that overall, fair access protocols are working well as part of the arrangements for in-year admissions to schools. Many reports comment on schools that are particularly helpful in accommodating children through the protocol and on purposeful relationships that exist between the local authority and the schools within its area, irrespective of their designation.

Admission appeals

156. The Code requires the collection of data concerning admission appeals. In my previous reports, data was incomplete because there were numerous cases still to be resolved at the time local authorities had to submit their report to me and even when they were offered the opportunity to update information about appeals during the summer, the picture still was not complete and therefore not accurate. This year the DfE will use the latest published Statistical First Release admission appeals for maintained and academy primary and secondary schools in England to meet this requirement.

157. Notwithstanding this change, and taking into account comments reported by a number of local authorities in 2014, I asked local authorities to report to me on the extent to which schools that are their own admission authority continue to use local authority services for appeals and to comment on any aspect of the appeals process that works well, or causes difficulties.
158. The overall response was that 90 per cent of local authorities provide services for appeals to at least some of the own admission authority schools in their area. In the primary sector, it is voluntary aided and academy schools that make up the majority of the numbers involved, whereas in the secondary sector academies predominate. In most cases, to a slightly greater degree in primary schools, it is the entire process that local authorities are asked to provide, with substantial numbers – around half of the schools involved in both phases – opting for legal advice or for assistance in case preparation and presentation.
159. Several reports mention difficulties caused by misunderstanding regulations and processes with own admission authority schools that manage their own appeals procedures and, especially, where there is little or no communication with the local authority in notifying the outcomes of appeals or concerning matters such as training for panel members. Lack of communication often extends to the non-publication of information about the appeals process and timescales on schools' websites as required by the School Admissions Appeals Code and, as with other issues previously mentioned, parents are frequently unsure about whether they should contact a school directly, or the local authority if they wish to lodge an appeal or simply need to seek advice about procedures.
160. One local authority mentioned inconsistencies in the sharing of application forms between authorities for the purposes of appeals panels, a recommendation removed from the most recent Appeals Code; this means that parents sometimes have to provide the information themselves, which is seen as an unnecessary burden on them. Others also commented on differing approaches and inconsistencies between neighbouring local authorities, or between own admission schools within the same or bordering areas, that create potential confusion and discontent for schools, panel members and appellants. Many authorities once more comment on the challenge, especially for own admission authority schools, in assembling impartial and skilled appeals panels.
161. A repeated concern in many reports is the high level of demand on the resources of the local authority and the time of the staff. In many areas this includes an increasing need to provide interpreter or translation services to support the appeals process. In order to manage better the various demands, one authority reports that it now uses "grouped multiple appeals" for main intake hearings where there is a number of appeals for one school and that feedback on this has been positive from all parties involved. The appeals process was far from complete when local

authorities submitted reports to me but notwithstanding the difficulties mentioned, my overwhelming impression is that local authorities are managing the appeals process diligently and with genuine concern for applicants who challenge decisions and for the best educational outcome for their children.

Other issues

162. In response to some concerns that have emerged over recent years, some of which were reported last year, I asked local authorities to comment on six matters. I invited comments on: aspects of objections to admission arrangements; the level of concern regarding fraudulent applications for admissions; issues relating to the admission of summer born children; consideration given within the local authority, including schools that are their own admission authority, to allow for priority admission in 2016 to children eligible for the pupil, service or early years premium; the steps taken to publish a composite prospectus for admissions to sixth forms; and on whether a local admissions forum has been retained or reinstated.
163. **Objections to admission arrangements by a local authority.** Paragraph 3.2 of the Code 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*". Local authorities were asked to submit data, but not to comment, on three issues: (a) the number of sets of admission arrangements queried directly with schools that are their own admission authority because they were considered not to comply with the Code; (b) the level of confidence that all community, voluntary controlled and own admission authority admission arrangements are fully compliant with the Code; and (c) the number of schools that did not send a full copy of their determined arrangements to the local authority by 1 May 2015.

Table 5 - Number of queries raised by local authorities with own admission authority schools

Category of school	Number of schools for pupils up to age 11	Number of schools for pupils aged over 11	Number of all-through schools
Voluntary Aided	275	27	1
Foundation	27	30	0
Academy	157	179	6
Free School	10	17	3
UTC	n/a	2	n/a
Studio School	n/a	3	n/a
Total	469	258	10

164. Table 5 shows that local authorities queried admission arrangements with almost 8 per cent of own admission authority schools. This represents about 7 per cent of primary schools, but closer to 10 per cent in the secondary sector. Many more local authorities, 18 in number or 12 per cent of the total, declared themselves “not confident” that all community, voluntary controlled and own admission authority admission arrangements were fully compliant with the Code, compared with only a third of that number last year. Almost a half of all authorities were “confident” that arrangements were fully compliant, but fewer than 4 per cent were “very confident”. In total, 737 sets of admission arrangements were queried across 65 local authorities, showing hardly any change from last year; two thirds of these queries were raised by just ten local authorities, suggesting either that non-compliance is endemic in a small number of areas or, possibly more likely, that some local authorities devote more time than others to scrutinising arrangements. The requirement in paragraph 1.47 of the Code to send the local authority a full copy of admission arrangements, including any supplementary forms, by 1 May was not met by 1,916 own admission authority schools, a considerable increase of just over 500 last year. Of this number, as shown in Table 6, primary schools outnumbered secondary schools, three to one.

Table 6 - Number of own admission authority schools not sending full copies of arrangements to their local authority by 1 May

Category of school	Number of schools for pupils up to age 11	Number of schools for pupils aged over 11	Number of all-through schools
Voluntary Aided	680	40	1
Foundation	250	88	1
Academy	467	335	8
Free School	19	14	4
UTC	n/a	6	n/a
Studio School	n/a	3	n/a
Total	1,416	486	14

165. A number of large local authorities comment, understandably, on the task confronting them in checking that arrangements of so many own admission schools comply with the Code. Nevertheless, I remain concerned that adjudicators continue to find matters that ought to have been dealt with during local authorities' in-house checks. References in oversubscription criteria to feeder schools or nurseries are often non-compliant; the wording used in respect of looked after and previously looked after children is still sometimes incomplete or incorrect; there is often no final tie-breaker; and supplementary forms, including religious practice forms where required by faith schools, are often not published as part of the arrangements. Sixth form admission arrangements are too often difficult to locate; they are frequently non-compliant in matters such as the information requested on application forms, in mentioning interviews or requesting references from a previous school. If, in the view of the local authority, a set of arrangements does not comply with the Code and discussion with the school still does not lead to compliant arrangements then the local authority must lodge a formal objection with the OSA.
166. **Fraudulent applications for admissions.** I asked again if local authorities had any concern about fraudulent applications. Just over half of the authorities reported concerns, and a similar proportion had withdrawn offers. As with last year, the main concern was that fraudulent applications are made at all, rather than the scale of the problem, which remains very small in terms of reported numbers of cases. However, the data – while low in the context of the total number of places allocated – show a substantial increase in the number of offers withdrawn, up by 53 per cent from the previous year. In total, 284 offers were withdrawn, most of them (211) for primary schools; in 2014, the comparable figures were 186 places withdrawn, of which 136 were for primary schools and so the proportion has

remained much the same despite the overall increase in numbers. More than a third of the withdrawn primary offers this year were in Outer London or other local authorities in the south east. In 2014, 66 local authorities withdrew some offers of places; this year, the number was 79.

167. All local authorities describe a range of measures used to check for fraudulent applications, most drawing on cross-referencing applicants' details with other databases such as electoral rolls, council tax details and so on. Many employ spot checks of various kinds and some report using social media to identify or check on applicants suspected of supplying fraudulent information, as well as encouraging "whistle blowing", with at least one local authority having established a protocol that includes a formal referral form for use by any member of the public, anonymously if they wish. Some large authorities, particularly shire counties, again report that the numbers of applications they have to process precludes a full check of every one and that at best they use random spot checks across a sample of applications and respond mainly to accusations of malpractice from members of the public. Some of these authorities provide annual briefings for schools to help them in testing an application's veracity.
168. Appropriate legal documents are usually requested as evidence to support an applicant's recent or expected change of address. A significant minority of reports raise concerns about establishing what might reasonably be accepted as the principal or permanent residence of an applicant, especially where rented accommodation is involved; most of these local authorities state that they would welcome a definitive ruling on this issue, as advice to applicants can vary depending on the local authority in which they live, sometimes causing problems with cross-border applications. Overall, local authorities are alert to the issue of fraudulent applications and are generally confident in their ability to deal with it. The increased number of fraudulent applications reported this year may well be the result of increased vigilance that has led to more cases being investigated and more fraudulent practice uncovered than an actual increase in the submitted number of fraudulent applications.
169. **Summer-born children.** In December 2014 the DfE issued updated non-statutory guidance on the admission of summer born children. The revised Code, also issued in December 2014, refers in paragraph 2.16 to deferred entry and/or part time education for children in the year they reach compulsory school age; paragraphs 2.17, 2.17A and 2.17B refer to the admission of children outside their normal age group. I asked local authorities to report again on the data they hold in relation to requests for children to be admitted to a class outside their normal age group, the number of such requests agreed, reasons given for delaying a child's entry to reception for a full year, and for any other comments on matters relating to the admission of summer-born children. Data provide only a partial picture, as only about three quarters of local authorities hold data (although this is up from just

under a half last year); many acknowledge even so that the data are incomplete. In community and voluntary controlled schools, 310 requests were received for admission to a reception class for a child who had reached the normal age for Year 1, double the number of requests recorded in 2014. Of these, 245 were agreed; for own admission authority schools, 100 requests out of 119 were agreed. Both figures are significantly higher than in 2014, but still represent a very small proportion of the total number of admissions.

170. Reasons given for seeking to delay the admission to reception of a child for a full school year include concerns about the progress and development of children born prematurely, often with some unstatemented level of special need. Social and emotional, as well as medical factors were considered legitimate in a number of successful requests, including for example children diagnosed as being on the autistic spectrum. Among reasons considered less convincing were where children born late in the year who had been refused a place at the preferred school, but where no specific developmental justification for deferred entry was cited; wanting to remain with younger friends from pre-school; or parents facing difficult childcare arrangements. Several authorities report that a number of requests for deferral were withdrawn once parents had met with the school and relevant professionals and had a better understanding of the ability of schools to adapt and differentiate provision. Many local authorities have had to advise parents to think carefully about the long term consequences of delaying a child's admission to school, and that the legal framework does not guarantee such deferral will continue later in the child's schooling; several reports record instances of secondary schools that have a stated policy of not accepting any application from out of year cohort children.
171. Although the number of actual applications involved remains low, many local authorities report a significant increase in the level of time consuming enquiries concerning the admission of summer-born children. Many comment at length on what they see as unhelpful aspects of the DfE's guidance, in that it may seem to encourage parents to view admission out of normal age group as a right, rather than an exception that is for the admission authority to exercise in the best interests of the child. Several authorities report that they have been closely scrutinised in local media or taken to task by national pressure groups when requests have been refused. A number of reports raise further issues seen to need clarification. Examples include: in the event of agreed deferred entry for a child, whether an early years provider is then expected or required to hold that child's place for a further year, and what the effect might be on other applications to that provision; and if a request for delayed entry by a full year is agreed by the maintaining authority for a Reception place in a community school, this decision is not binding on other admission authorities and therefore preferences expressed at the point of application may be treated differently – the timing of the admission process means that permission to delay admission to Reception for a year has to be given before the outcomes of applications are known. Although data are

incomplete, and the issues mentioned are undoubtedly time consuming for local authorities, and probably stressful for applicants, the current numbers involved do not suggest there is a sizeable problem concerning the admission of summer-born children.

172. **The pupil, service and early years premium.** The 2014 Code enables all schools to give priority for admission in 2016 to children eligible for the pupil, service or early years premium. If admission authorities wish to introduce the priority they need to have consulted as required by the Code. I asked local authorities to report on whether the implementation of this permission has been considered, consulted on and implemented in any community or voluntary controlled schools, and whether any own admission authority schools had consulted the local authority on this matter. Local authorities were also invited to comment on any issues arising from this new permission and the process of implementation.
173. Fewer than one in five local authorities has considered introducing the pupil or service premium priority in the arrangements of community or voluntary controlled primary and secondary schools, and of that small number only about one in eight of local authorities has as yet consulted on the change, which has been implemented in just twelve schools in total, eight primary and four secondary. The scale of response, while still very small in terms of overall numbers, has been greater in own admission authority schools, where 55 schools have implemented the change, including 33 secondary academies.
174. Many local authorities, although broadly welcoming a permission which is seen as *“levelling the playing field for all admission authorities”*, are unsure as to how such a criterion may affect social mobility or help schools reduce educational inequalities at the point of admission. Some are concerned that introduction of a “premium” criterion might have the opposite effect to that intended, making parents feel stigmatised by the probing of their finances in relation to the school admission process. Several local authorities with high levels of deprivation and pressure on school places feel that the implementation of this criterion could disadvantage those not eligible for the premium payments. A considerable number expressed the view that the short time between the issue of the revised Code and period laid down for consultation on arrangements was not adequate to assess either the need for, or the likely impact of, such a criterion and then to carry out a meaningful consultation. Of those local authorities intending to investigate further, often through informal discussions in the first place, several comment that the criterion would not be introduced before the 2018 admissions round. The service premium, nevertheless, is of particular interest to, and has been generally welcomed by, a few local authorities in which there are large numbers of service families.

175. Rather more local authorities have considered the early years pupil premium, although only three consultations have yet taken place, with one school implementing the change. In the case of own admission authority schools, 13 have implemented a change.
176. Local authorities' comments on the early years pupil premium echo many outlined above in reference to the pupil and service premiums. A separate point raised in a number of reports, however, is the view that prioritising applicants eligible for the early years pupil premium who also attend the nursery provision of the school in question may work against other families who may be equally disadvantaged in social or financial terms but have chosen not to send their child to the school's nursery provision, possibly with positive reasons for wanting to delay their child's admission to an education setting until the start of Reception Year. The reverse of this situation concerns those local authorities which envisage greater efforts by parents to secure a place in a nursery class, thus placing too much emphasis on admission to the non-statutory part of the school, where no right of appeal exists. A number of reports emphasise that where there is pressure on primary school places, including those schools where there would be insufficient places for all eligible nursery pupils let alone any others, careful thought would be necessary before adopting a criterion that potentially leaves fewer places for local children. In many schools, the capacity for more children to be admitted to the nursery because of part-time provision could make it possible for those living some distance away, but with a nursery place, then to secure a reception place at the expense of local families. Other reports point out that sustainability issues are likely to arise in private and voluntary pre-school provision, with possible longer-term consequences in providing sufficient places to respond to fluctuating birth rates and family movement should full advantage be taken of this new permission.
177. **Composite prospectus for sixth form admissions.** Following a number of responses last year that suggested compliance was at best patchy, I again asked local authorities to report on how they meet regulations concerning the publication of a composite prospectus in relation to admissions to school sixth forms. About 60 per cent now tell me that they publish arrangements for this age group in their main prospectus, and just over 15 per cent produce a separate sixth form prospectus. The other local authorities direct applicants to individual schools' websites or to more general websites regarding post-compulsory education and training, of which sixth form arrangements form a part. One commented that *"Schools' own sixth form information was available in a glossy format and was highly complicated with the many courses they offered and the academic criteria applying for each – much too complicated to include in our limited, black and white simple booklet. This year we intend to signpost parents to schools' own websites and the new DfE sixth form information access site."* Some local authorities continue to report difficulties, such as *"the intention was to produce a separate composite prospectus but we did not receive copies of all school and academy*

policies that needed to be included.” Another comments that “*some schools have not included an admissions number or oversubscription criteria or have missed other key pieces of information.*” I have mentioned above that adjudicators frequently find non-compliance with the Code in sixth form arrangements; responses to my question suggest that too many local authorities are still insufficiently active in either checking sixth form arrangements or in meeting requirements for publishing them; a few continue to describe omissions as “*an oversight*” despite attention having been drawn last year to shortcomings in meeting these requirements.

178. **Admission forum.** The Code no longer requires local authorities to have an admission forum, but many continue to retain them, although the proportion doing so has decreased from 43 per cent last year to 37 per cent this year. While three local authorities have re-instated a forum, more have dispensed with one. In those local authorities that have a forum, there remains considerable variety in their functions and the frequency of meetings, which range from twice termly to annually. Membership typically includes head teachers, governors, local councillors, community representatives, faith groups, parents, early years providers and sometimes members of other local authority teams. The forums that meet most frequently are those that have had their remit extended beyond scrutinising and advising on compliance in individual schools’ admission arrangements to, for example: “*offering advice, challenge and scrutiny on how well the interests of specific and general groups in the local area are served in relation to matters concerning school organisation and admissions issues*”; reviewing guidance to parents; advising own admission authority schools; promoting agreement on arrangements for safeguarding vulnerable children; and sometimes scrutinising school organisation plans. Local authorities that have retained a forum are unanimous in valuing it as a vital mechanism in securing, disseminating and supporting common approaches to, and key information about, admission matters.

Other issues - from local authorities

179. The Code makes provision for local authorities to comment on any issues that they wish to raise not already covered in the report. This year, relatively few additional matters were raised, with many reports taking the opportunity instead to reinforce responses to previous sections summarised above. Many local authorities, for example, detail extensive concerns regarding their ability to check compliance in the arrangements of large numbers of own admission authority schools, coupled with an awareness that many of these schools do not appear to know about, or to understand, their responsibilities regarding all aspects of admission arrangements, including the requirements for consultation, publication and the appeals process.
180. **In-year admissions.** Many respondents reiterate concerns about their inability to maintain an accurate overview of in-year admissions, citing in this respect both the

processes and the outcomes. As reported last year, a significant number of local authorities would welcome a return to them of the responsibility for co-ordinating in-year admissions, not least to address concerns such as the difficulties of placing children in key stage 4, and providing for immigrant children with little or no English; these children can disappear from sight, and be out of school for long periods, if communication between the local authority and own admission schools is not good. Furthermore, some own admission authorities do not comply with the Code by taking account of children's previous behaviour, attendance or attainment and occasionally in refusing to admit without making clear an applicant's statutory right of appeal.

181. **Application issues.** A further concern, repeated again from last year and often expressed strongly elsewhere in the report, is the problem encountered by many local authorities in making all parents aware of the need and timescale for applications for Reception places. There are large numbers of late applications in many areas, with a consequent overloading of the appeals process. Last year's plea for a central campaign to publicise application dates is once again urged strongly in many reports. A related issue is the length of the primary application period, regarded as too long by a number of local authorities, and the timing of the national offer day, which often clashes with schools' Easter holidays. If the offer day falls at a weekend or on a bank holiday, local authorities would welcome further guidance as to when offers should be made known. A significant number of local authorities would welcome a centralised ruling on what is defined acceptable as an applicant's address.
182. **School places.** Also repeated from last year are concerns about the provision of sufficient school places. The increase in the number of pupils is now beginning to affect the provision of secondary school places in some areas, and many local authorities report an appreciable rise in the demand for SEN support across all age groups. Difficulties in providing places are exacerbated in a number of areas by the effects of changes in the age range admitted by some schools, and changes to PANs; several authorities note difficulties caused to neighbouring schools in particular, and to the co-ordination of admissions generally, when own admission authority schools decide to admit above PAN, or to increase their PAN as permitted by the Code, without apparent regard to consequent effects elsewhere.
183. **The pupil, service and early years premium.** Other concerns include repeated disquiet concerning the possible effects of implementing oversubscription criteria that prioritise children in receipt of one of the premium payments, especially the early years pupil premium. This, together with increasing levels of enquiry about admission issues concerning summer-born children, is seen by many local authorities as potentially problematic both for the provision of places in nurseries and reception classes, and in the fair allocation of places, especially to those families not in receipt of a premium payment and/or those who choose not to enrol

a child for pre-school education. A number of local authorities report their awareness that, with increasing numbers of schools looking to extend their age range to include two-year-olds, parents assume they will automatically be entitled to a Reception class place.

184. **The Code.** Some of the concerns raised in this summary are seen by a number of local authorities as an inevitable consequence of what several describe as the “slim” Code. One comment contends that the Code *“is silent on many aspects which makes compliance and transparency more difficult and more importantly leaves us open to challenge and possible litigation.”* Several local authorities, for example, point to potential difficulties in reconciling references in the Code to children with challenging behaviour, citing statements in paragraphs 1.6, 1.9g) and 3.12 that may not sit comfortably together, causing difficulties for local authorities if trying to negotiate admissions with schools, and confusion – and sometimes distress – for parents.

Appendix 1 - Case details 2014/15 and 2013/14

Objections to admission arrangements	2014/15	2013/14
Total cases considered	375*	318*
Decisions issued: upheld	61	86
Decisions issued: part upheld	98	13
Decisions issued: not upheld	51	23
Decisions outstanding	115	157
Out of Jurisdiction	42	30
Withdrawn	8	9

* 218 new referrals and 157 decisions outstanding from 2013/14

** 274 new referrals and 44 decisions outstanding from 2012/13

Variations to admission arrangements	2014/15	2013/14
Total cases considered	29*	39*
Decisions issued: approved	18	24
Decisions issued: part approved/modified	0	2
Decisions issued: rejected	2	0
Decisions outstanding	6	6
Out of Jurisdiction	2	6
Withdrawn	1	1

* 23 new referrals and 6 decisions outstanding from 2013/14

** 35 new referrals and 4 decisions outstanding from 2012/13

Directions of pupils to a school	2014/15	2013/14
Total cases considered	15*	16*
Decisions issued: upheld	1	2
Decisions issued: not upheld	2	6
Decisions outstanding	0	0
Out of Jurisdiction	9	7
Withdrawn	3	1

** 15 new referrals and 0 decisions outstanding from 2013/14*

*** 16 new referrals and 0 decisions outstanding from 2012/13*

Statutory Proposals	2014/15	2013/14
Total cases considered	10*	21*
Decisions issued: approved	6	15
Decisions issued part approved/modified	0	1
Decisions issued: rejected	0	2
Decisions outstanding	1	2
Withdrawn	1	1
Out of Jurisdiction	2	0

** 8 new referrals and 1 decision outstanding from 2013/14*

*** 20 new referrals and 1 decision outstanding from 2012/13*

Land Transfer	2014/15	2013/14
Total cases considered	10*	9*
Decisions issued	5	3
Decisions outstanding	2	6
Out of Jurisdiction	3	0
Withdrawn	0	0

* 4 new referrals and 6 decisions outstanding from 2013/14

** 6 new referrals and 3 decisions outstanding from 2012/13

Appendix 2 - OSA Expenditure 2014-15 and 2013-14 ¹

Category of Expenditure	2014-15 £000	2013-14 £000
Adjudicators' fees	756	527
Adjudicators' expenses	28	22
Adjudicator training/meetings	95	58
Office Staff salaries	180	176
Office Staff expenses	5	5
Legal fees	45	26
Publicity ²	0	0
Professional services	3	0
Administration/consumables	1	1
Total	1,113	815

Notes:

1. Information relates to financial years 2013-14 and 2014-15. The report covers the academic year 2013/14.
2. 'Publicity' relates only to the notification of public meetings held by the adjudicator.



Office of
the Schools
Adjudicator

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