

**TITLE** Draft Report to the Schools Adjudicator 2018

**FOR CONSIDERATION BY** School Admissions Forum on 6 June 2018

**WARD** (All Wards);

**DIRECTOR** Director of Corporate Services - Graham Ebers

**OUTCOME / BENEFITS TO THE COMMUNITY**

That national admissions policy takes account of Wokingham needs.

**RECOMMENDATION**

That Forum note the contents of this report and comment as they see fit.

**SUMMARY OF REPORT**

The Council is required to submit a report to the Schools Adjudicator (SA) every year by 30<sup>th</sup> June. The report is based on a template issued by the Office of the Schools Adjudicator (OSA). The report enables the OSA to get a snapshot view of the functioning of the admissions system and of the view of local authorities on what the SA perceives to be key issues. Specific issues this report picks up include:

Normal point of admission

- Determination of admission arrangements
- Co-ordination of admission arrangements
- Looked after / previously looked after children
- Special Education Needs and disabilities

In Year admissions

- The number of in year admissions
- Co-ordination of in year admissions
- Looked after children / previously looked after children
- Children with disabilities and with SEN.
- Other children

Fair Access Protocol

Directions

Pupil, Service and early years premium (the premiums)

Elective Home Education children

Other matters

Feedback on the LA template

Work has started on the process of completing the template (Appendix A) and some initial drafting completed. The forum is invited to consider the current drafting and propose changes. They are invited to contribute their views to areas where drafting has yet to commence.

## Background

The report to the SA is required by Section 88P of the Schools Standards and Framework Act 1998.

The SA collates the responses received and uses it in the report they make to the Secretary of State for Education.

One of their chief concerns in their 2017 report was that the needs of children needing school places outside the main admissions rounds were not being well met.

## Analysis of Issues

National education policy is moving away from a system that is monitored, managed and regulated by local authorities to one in which individual schools (increasingly academised) have much greater agency.

There is a concern that these new arrangements have meant that parents seeking places for their children have experienced delays in placing their children. This has included older secondary age children in Years 10 and 11, who are still entitled to a secondary school place, despite the very obvious problems with creating an appropriate curriculum for them.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

### Other financial information relevant to the Recommendation/Decision

None

**Cross-Council Implications** (how does this decision impact on other Council services, including properties and priorities?)

### Reasons for considering the report in Part 2

<b>List of Background Papers</b>

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Office of  
the Schools  
Adjudicator

**Local Authority Report  
To  
The Schools Adjudicator  
From**

**Wokingham Local Authority**

**30 June 2018**

**Report Cleared by (Name & Title):**

**Date submitted:**

**By (Name & Title):**

**Contact email address:**

**Telephone number:**

[www.gov.uk/government/organisations/office-of-the-schools-adjudicator](http://www.gov.uk/government/organisations/office-of-the-schools-adjudicator)

**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto:osa.team@osa.gsi.gov.uk) by 30 June 2018 and earlier if possible**

## **Introduction**

Section 88P of the School Standards and Framework Act 1998 (the Act) requires every local authority to make an annual report to the adjudicator. The Chief Adjudicator then includes a summary of these reports in her annual report to the Secretary for State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.23 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other issues. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2018**.

The report to the Secretary of State for 2017 highlighted that at the normal points of admission the main admissions rounds for entry to schools work well. The Chief Adjudicator expressed less confidence that the needs of children who need a place outside the normal admissions rounds were so well met. In order to test this concern, local authorities are therefore asked to differentiate their answers in this year's report between

the main admissions round and in year admissions<sup>1</sup>. The order of this template for the annual report by local authorities reflects this.

## Information requested

### 1. Normal point of admission

#### A. Determined arrangements

- i. Please specify the date your local authority determined its arrangements for admissions in 2019 for its voluntary controlled and community schools. Please state if this question is not applicable as there are no voluntary controlled or community schools in the local authority area.

22/02/2018

- ii. Please specify the date the determined arrangements for voluntary controlled and community schools were published on the local authority's website. Say if not applicable.

TBC

- iii. What proportion of arrangements for own admission schools was provided to the local authority by 15 March?

Not applicable    None    Minority    Majority    All

	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
iv. How many sets of admission arrangements of schools that are their own admission authority were queried directly by your local authority because they were considered not to comply with the Code?			
v. If, when you considered arrangements for own admission authority schools for 2019, you had any concerns about Code compliance, please indicate which paragraphs of the Code you thought were mainly being breached.			

<sup>1</sup> By in year we mean admission at the start of any school year which is not a normal point of entry for the school concerned (for example at the beginning of Year 2 for a five to eleven primary school) and admission during the course of any school year.

vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.

**B. Co-ordination**

i. Provision of rankings: what proportion of own admission authority schools provided their rankings correctly undertaken by the agreed date?

Not applicable     None     Minority     Majority     All

How well did co-ordination of the main admissions round work?	Not well	A large number of small problems or a major problem	Well with few small problems	Very well
ii. Reception			y	
iii. Year 7			y	
iv. Other relevant years of entry			y	
v. Please give examples to illustrate your answer:				

**C. Looked after and previously looked after children**

i. How well do admission arrangements in your local authority area serve the interests of looked after children at normal points of admission?

Not at all     Not well     Well     Very well     Not applicable

ii. How well do the admission arrangements in other local authority areas serve the interests of your looked after children at normal points of admission?

Not at all     Not well     Well     Very well     Not applicable

iii. How well do admission arrangements in your local authority area serve the interests of previously looked after children at normal points of admission?

Not at all     Not well     Well     Very well     Not applicable

iv. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

**D. Special educational needs and disabilities**

i. How well served are children with disabilities and/or special educational needs who have an education health and care plan or a statement of special educational needs that names a school at normal points of admission?

Not at all    Not well    Well    Very well    Not applicable

ii. How well served are children with disabilities and/or special educational needs who do not have an education health and care plan or a statement of special educational needs at normal points of admission?

Not at all    Not well    Well    Very well    Not applicable

iii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement.

**2.  
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admissions**

**A. The number of in year admissions.** We are asking for two years' data for comparative purposes. If you do not have the data for the year 1/9/16 to 31/8/17 available, please still provide the data for 1/9/17 to 31/3/18.

i.	Primary aged children	Secondary aged children
Number of in year admissions between 1/9/17 and 31/3/18	Statistics awaited	Statistics awaited
Number of in year admissions between 1/9/16 and 31/8/17	Statistics awaited	Statistics awaited
The reasons for children seeking in year admission will vary across the country. What do you consider to be the main reasons in your area?	Statistics awaited	Statistics awaited

ii. The Code requires the setting of a published admission number (PAN) for each normal year of entry. In the annual reports for 2017 several local authorities referred to problems in relation to in year admissions when schools which are their own admission authority refuse to admit applicants even if the year group concerned contains fewer children than the relevant PAN suggested could be accommodated. This was referred to sometimes

as 'capping' in-year admissions and local authorities observed that it reduced the number of places available below that anticipated by the local authority. Please comment on your experience as a local authority.

*Our experience relates to one new school that had an admission number of 180 for September 2016, but which initially recruited around 100 children (growing to 150). They informed the LA (in 2017/18) they would not go above 150 for the, by now Year Eight class without forward funding for the gap (which the LA is not prepared to provide). The school has sufficient physical capacity to go up to 240 in each year group. Legal advice was that PANs only apply for the normal year of entry (Year 7) and not for subsequent years*

## B. Co-ordination of in year admissions

i. To what proportion of community and voluntary controlled schools does the local authority delegate responsibility for in year admissions?

- a) Primary:  Not applicable  None  Minority  Majority  All  
b) Secondary:  Not applicable  None  Minority  Majority  All  
c) All-through:  Not applicable  None  Minority  Majority  All

d) What do you consider to be the advantages and disadvantages of delegating responsibility for in year admissions (where applicable)?

*The advantage would be a reduced workload for the Council at a point where it is important to rationalise services to reduce costs.*

*When a significant level of surplus capacity is distributed amongst a high proportion of an area's schools making applications to a small number of schools can lead to swifter allocation of places.*

*The disadvantages of delegated responsibility are:*

*That when few schools have unfilled places parents have to search through several schools to find one with places.*

*That parents may be able to hold places at several schools, while they make their final choice.*

*That while the latter problem might be resolved by training school staff to use the allocations system, this would create a considerable additional support and training burden for the LA and loss of resource to the school..*

ii. For what proportion of own admission authority schools does the local authority co-ordinate in year admissions?

- a) Primary:  Not applicable  None  Minority  Majority  All  
b) Secondary:  Not applicable  None  Minority  Majority  All  
c) All-through:  Not applicable  None  minority  Majority  All

d) What do you consider are the advantages and disadvantages of the local authority co-ordinating in year admissions (where applicable)?

*The advantages are:*

*That the LA has better oversight over the operaton of mid term allocations.*

*That it is far less likely that children (particularly children from disadvantaged backgrounds) will be left without school places.*

### **C. Looked after children and previously looked after children**

i. How well do in year admission arrangements in your local authority area serve the interests of looked after children?

Not at all    Not well    Well    Very well    Not applicable

ii. How well do the in year admission arrangements in other local authority areas serve the interests of your looked after children?

Not at all    Not well    Well    Very well    Not applicable

iii. How well do in year admission arrangements in your local authority area serve the interests of previously looked after children?

Not at all    Not well    Well    Very well    Not applicable

vii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

### **D. Children with disabilities and children with special educational needs**

i. How well served are children with disabilities and/or special educational needs who have an education health and care plan or a statement of special educational needs that names a school when they need to be admitted in year?

Not at all    Not well    Well    Very well    Not applicable

ii. How well served are children with disabilities and/or special educational needs who do not have an education health and care plan or a statement of special educational needs when they need to be admitted in year?

Not at all    Not well    Well    Very well    Not applicable

iii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

*Children with an EHCP are admitted outside the operation of the schools admissions arrangements.*

**E. Other children**

i. How well served are other children when they need to be admitted in year?

- Not at all     Not well     Well     Very well     Not applicable

ii. Paragraph 3.12 of the Code - several local authorities referred to paragraph 3.12 in their annual report for 2017 stating that this was being used “*inappropriately*” by some admission authorities. Please could you comment on your experience as a local authority:

*There are concerns that schools that are their own admissions authorities are introducing prohibited processes into their day to day admissions practise.*

**3. Fair Access Protocol**

A. Has your Fair Access Protocol been agreed with the majority of state-funded mainstream schools in your area?

- Yes for primary  
 Yes for secondary

B. If you have not been able to tick both boxes above, please explain why:

C. How many children have been admitted or refused admission under the Fair Access Protocol to schools in your area between 31 March 2017 and 31 March 2018?

Type of School	Number of children admitted		Number of children refused admission	
	Primary aged child	Secondary aged child	Primary aged children	Secondary aged children
Community and voluntary controlled	Data to follow	Data to follow	Data to follow	Data to follow
Own admission authority	Data to follow	Data to follow	Data to follow	Data to follow

schools				
Total	Data to follow	Data to follow	Data to follow	Data to follow

D. If a number of children have not secured school places following the use of the protocol, please indicate what provision is made for these children.

*Ultimately all children needing places secure them at schools under the Fair Access Protocol.*

E. How well do you consider hard to place children are served by the Fair Access Protocol in your area?

Not at all    Not well    Well    Very well    Not applicable

F. Please explain your answer giving examples of good and poor practice, successes and difficulties as appropriate.

#### 4. Directions

A. How many directions did the local authority make between 31 March 2017 and 31 March 2018 for children in the local authority area?

	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
Voluntary aided or foundation				

B. Please add any comments on the authority's experiences of making directions.

C. How many directions did the local authority make between 31 March 2017 and 31 March 2018 for a maintained school in another local authority area to admit a looked after child?

For primary aged children	For secondary aged children

D. Please add any comments on the authority's experiences of making directions.

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E.	How many requests to the ESFA to direct an academy to admit a child did the local authority make between 31 March 2017 and 31 March 2018?	How many children were admitted to school as a result of the request for a direction by the local authority to the ESFA between 31 March 2017 and 31 March 2018?	How many requests were outstanding as at 31 March 2018?
For primary aged children (not looked after)			
For primary aged looked after children			
For secondary aged children (not looked after)			
For secondary aged looked after children			
F. Please add any comments on the authority's experiences of requesting directions.			

G. Any other comments on the admission of children in year.
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**5. Pupil, service and early years pupil premiums (the premiums)**

A. How many community or voluntary controlled schools in the local authority area will use a premium as an oversubscription criterion for admissions in 2019?	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
Pupil premium	0	0	0
Service premium	0	0	0

Early years pupil premium	0	N/A	0
Total number of schools using at least one premium in their oversubscription criteria	0	0	0

B.		How many own admission authority schools in your area will use one of the premiums as an oversubscription criterion for 2019?	Total number of own admission authority schools using at least one of the premiums in their oversubscription criteria for 2019
Primary including middle deemed primary	Early years		
	Pupil		
	Service		
Secondary including middle deemed secondary	Pupil		
	Service		
All through	Early years		
	Pupil		
	Service		

C. Do you have any further comments on the use of premiums?

*Our interest has been to ensure that children have a choice of good or better schools near their homes. Premium based oversubscription criteria make it more likely we cannot place children in schools in their home area. We have experienced this directly (even without Premium based criteria) when we have been unable to offer places to on time applications who are first and only children because of high birth rates in particular school designated areas, and then have been unable to offer places at other local schools, because they too were full with local applicants. Bringing in additional children into oversubscribed admissions Planning Areas could lead to children living in areas characterised by popular schools having to be diverted to places in other areas (which might not be within walking distance). Whilst arrangements could be made that to some extent guard against this, they have the likely disadvantage of adding complexity.*

## 6. Electively home educated children

A. How many children were recorded as being electively home educated in the local authority area on 29 March 2018?

B. Any comments to make relating to admissions and children electively home educated?

*There is no requirement for home educated children to be registered with the local authority. This creates clear risks, particularly for children whose home education stems from disengagement with education, rather than carefully considered choice by their parents. There is a high risk, particularly with older secondary age children, that they enter the borough and are never identified as being electively home education (or in reality, not home educated at all).*

## **7. Other matters**

Are there any other matters that the local authority would like to raise that have not been covered by the questions above?

*There are issues that have been identified but have not been resolved, in part because the School Admissions Code has not been reviewed for a number of years.*

*One of these is the issue of summer born children, where ministers have promoted support for parents who wish for their children to be educated out of their calendar year, but without making the changes through the system that would be required to give parents full confidence this is achievable. This would need to include a statutory framework for school that extended through secondary education to the treatment of public examinations in national statistics.*

*Another is consideration of how changes outside the admissions process could create an environment in which schools would work more proactively to support fair admissions to schools. Admitting children who are perceived as being likely to be lower achievers can be to a school's disadvantage, as this is reflected in their overall "score". Schools are therefore more likely to work to make Fair Access work if they know that their efforts are reflected in the overall scores that other parties (including parents) judge them by.*

## **8. Feedback on the Local Authority Report template**

In previous years we have asked for feedback on the process of completing the template in the following November to inform what is asked in the following year. We are aware that it may be easier to provide feedback on providing information for the annual report at the time rather than later. We would therefore be grateful if you could provide any feedback on completing this report to inform our practice for 2019.

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@osa.gsi.gov.uk](mailto:OSA.Team@osa.gsi.gov.uk) by 30 June 2018

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