



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Worcestershire Local Authority

30 June 2017

Report Cleared by (Name & Title): Dr Catherine Driscoll, Director of Children, Families and Communities

Date submitted: 13/06/17

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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 Schools Adjudicator (CA) 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 2017**.

The questions have been revised for 2017 with the purpose of:

- a) making the information gathered statistically robust and as useful as possible to the local authorities which provide the information; that is: the Office of the Schools Adjudicator (OSA) which receives the information; the Department for Education (DfE) to which the CA provides her annual report; and the children and families for whom the Code is designed to make sure that places are allocated and offered in an open and fair way;
- b) minimising the work required by local authorities in providing information; and
- c) avoiding duplication of effort.

This revised format therefore, in addition to statutory requirements as described in the Code, explores: points raised by local authorities in previous reports and matters which have arisen in the CA's Annual Report and areas of interest to the DfE. If information is already collected elsewhere, such as the number and type of schools and data relating to appeals, then it is not asked for again here but will be available for inclusion in the CA's Annual Report.

Information requested

1. Looked after children and previously looked after children

It is a requirement of the Code that there is information in the local authority's annual report about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children.

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

Not at all Not well Well Very well

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

Not at all Not well Well Very well

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

Not at all Not well Well Very well

Please give examples of good or bad practice or difficulties which support your answer and provide any suggestions for improvement:

All Worcestershire schools co-operate with the Local Authority giving priority to 'Looked After' children and Previously Looked After Children, in the normal admissions round. All current policies comply with the School Admissions Code. Social workers and foster carers seeking places for LAC with complex behavioural/ emotional issues in Worcestershire are advised to apply directly to the School Admissions Section and not directly to schools. This has worked very well with schools that are already up to PAN. The Headteacher is approached directly by the Admissions Office so that the status of the pupil is confirmed and an analysis of needs and provision is identified and following this, admission can be agreed.

For in-year applications many Own Admissions Authority Schools are refusing admission to LAC cases even though there have vacancies. The Code should be strengthened not to allow schools to refuse these children, where they have vacancies.

2. Children with disabilities and children with special educational needs

It is a requirement of the Code that there is information in the local authority's annual report about how admission arrangements in the area of the local authority serve the interests of children with children with disabilities and children with special educational needs.

- a. How well served are children who have 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?

Not at all Not well Well Very well

- b. How well served are children who have disabilities and/or special educational needs who do not have an education health and care plan or a statement of special educational needs?

Not at all Not well Well Very well

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

Statemented pupils and those with an EHCP naturally have to be admitted and are processed through the Special Educational Needs Services Section in the County Council. The Pupil Admissions Team is informed during the admission round, which enables Statemented Pupils to be included in the intake cohort, thus avoiding the need for schools to admit above PAN. Where Late Applications are received for Statemented Pupils, Schools admit over PAN.

Non-Statemented Pupils or those without an EHCP are considered alongside all other pupils in line with the published Admissions Criteria.

3. Consultation

Paragraph 1.44 of the Code states who needs to be consulted if consultation on admission arrangements is required. The CA has noted that these requirements are not always fulfilled in the arrangements which come to the attention of the OSA and, in particular, consultation with parents is not always as full as it should be. The OSA therefore wishes to get a better understanding of the wider situation and provide examples of good practice.

a. When did the local authority last consult on its arrangements?

Please provide the year.

2014

b. Please describe the means by which the local authority consulted with parents. Highlight all those means used:

- Committee paper on the local authority's proposals on admissions on the council's website.
- Consultation paper designed for parents on the local authority's proposals on admissions on council's website.
- Request to all schools to provide information on the local authority's consultation on its admission arrangements to parents and providing support to make this possible such as posters, leaflets and links to the relevant information on council's website for the schools' newsletters.
- Request to all early years settings to make information on the local authority's consultation available to parents by providing support to make this possible such as posters, leaflets and links to the relevant information on the council's website for the settings' newsletters.

Social media (please provide some detail).

Adverts in local press.

Articles in local press.

Posters in supermarkets, doctors' surgeries, early years health centres and similar

Other (please specify)

How confident are you that other admission authorities in your area are consulting parents properly as required by paragraph 1.44a of the Code?	Not at all confident	Many concerns	Few concerns	Completely confident
c. Voluntary aided			X	

d. Foundation			X	
e. Academy			X	
f. Free			X	
g. UTC			N/A	
h. Studio			N/A	
Please give examples of good practice by schools that are their own admission authority. Examples of good practice in consulting with parents whose children are under compulsory school age will be particularly welcome.				

4. Pupil, service and early years pupil premiums

Has your local authority consulted for admissions in 2018 on using any of the pupil premiums as an oversubscription criterion in community or voluntary controlled schools?	For entry to reception year	For entry to year 7
a. Pupil premium	No	No
b. Service premium	No	No
c. Early years premium	No	N/A

d. If the local authority consulted on any of the pupil premiums please provide a summary of the responses received:

e. If you did not consult on introducing the **pupil premium** please indicate up to three main reasons for not doing so:

- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;
- Potential transport cost to local authority for local children displaced;
- Some very disadvantaged families do not apply for free school meals and so would be further disadvantaged;
- Feel community needs already well met;
- Would introduce unnecessary complication;
- Lack of capacity; or

i. Other (please explain):

f. If you did not consult on introducing the **service premium** please indicate up to three main reason for not doing so:

- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;

- Potential transport cost to local authority for local children who might be prevented from being offered a place at their local school;
- Would introduce unnecessary complication;
- Lack of capacity; or
- Other (please

On average we only deal with perhaps 3 or 4 applications per year from this group, therefore the arrangements in place already were considered appropriate.

explain):

g. If you did not consult on introducing **early years premium** please indicate up to three main reasons for not doing so:

- Application of early years' pupil premium priority for those attending a nursery at the school could unfairly disadvantage those who did not choose to use the nursery at the school;
- Application of early years' pupil premium priority for those attending a nursery at the school could affect the sustainability of other early years' provision;
- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;
- Potential transport cost to local authority for local children who might be prevented from being offered a place at their local school;
- Some very disadvantaged families do not apply for free school meals and so would be further disadvantaged;
- Feel community needs already well met;
- Would introduce unnecessary complication;
- Lack of capacity; or
- Other (please

explain):

Displacing local children could lead to additional transport costs in allocating alternative schools.

How many community or voluntary controlled schools in the local authority area will use pupil premium as an oversubscription criterion for admissions in 2018?	Primary including middle deemed primary	Secondary including middle deemed secondary
h. Pupil premium	0	0
i. Service premium	0	0
j. Early years pupil premium	0	N/A

How many own admission authority schools consulted you on the use of a pupil premium oversubscription criterion for admissions in 2018?	Primary including middle deemed primary			Secondary including middle deemed secondary	
	Early years	Pupil	Service	Pupil	Service
k. Voluntary aided	2	0	1	0	0
l. Foundation	0	0	0	0	0
m. Academy	0	0	0	0	0
n. Free (only have 1 all through school)	1	1	1	1	1

o. UTC	N/A	N/A	N/A	N/A	N/A
p. Studio	N/A	N/A	N/A	N/A	N/A

How many own admission authority schools in your area will use one of the premiums as an oversubscription criterion for 2018?	Primary including middle deemed primary			Secondary including middle deemed secondary	
	Early years	Pupil	Service	Pupil	Service
q. Voluntary aided	2	0	1	0	0
r. Foundation	0	0	0	0	0
s. Academy	0	0	0	0	0
t. Free (only have 1 all through school)	1	1	1	1	1
u. UTC	N/A	N/A	N/A	N/A	N/A
v. Studio	N/A	N/A	N/A	N/A	N/A

w. Do you have any further comments with regards to the pupil premiums in addition to the above?
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5. Determined arrangements

The OSA has noted that some admission authorities have not determined their arrangements as required by the Code and so seeks further information on this. Paragraph 3.2 of the Code requires local authorities to refer admission arrangements determined by other admission authorities to the Schools Adjudicator if they are of the view that they are unlawful.

- a. On which date did your local authority determine its arrangements for admissions in 2018?

20th January 2017

- b. When were the determined arrangements published on the local authority's website?

15th March 2017

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?	Primary including middle deemed primary	Secondary including middle deemed secondary
c. Voluntary aided	5	0
d. Foundation	0	0
e. Academy	11	4
f. Free	0	0
g. UTC	N/A	N/A
h. Studio	N/A	N/A

i. Overall, in your consideration of the admission arrangements for 2018 determined by other admission authorities, which paragraphs of the Code gave you greatest concern because of possible non-compliance with requirements?
 Paragraph 14 “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.”
 Paragraph 1.37 says “Admission authorities must ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied.”

j. Further comment: please provide any examples or views regarding the determination of admission arrangements that have not been covered above

6. Co-ordination

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
a. Reception				X
b. Year 7				X
c. Other relevant years of entry (please specify)			x	
d. Please give examples to illustrate your answer: Some authorities do not exchange information in a timely manner if it is not a year group that is the normal point of entry into schools in their areas, Year 5 for example. Some LA's direct parents to apply directly to another LA rather than allow their home applicants to make an application for transfer and exchange data. There is Inconsistency in the process.				

e. There has been an increase in the number of schools for which the governing body or academy trust is the admission authority. Please describe the effect of this on the admissions system in your area.
 Whilst the Local Authority does carefully scrutinise the Ranking Lists provided by schools to ensure that all pupils have been ranked in accordance with the School's Oversubscription criteria, this is not always possible when it comes to applications received later in the process. As we do not have access to the School's Waiting Lists, it is difficult to verify that the correct pupils are allocated any subsequent vacancies that may arise after National Offer Day.

To how many schools of each type does the local authority delegate responsibility for in-year admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
f. Community	0	0
g. Voluntary controlled	0	0
<p>h. What do you consider to be the advantages and disadvantages of this?</p> <p>This enables quick decisions to be made by the Authority rather than awaiting responses from individual schools, and ensures that admissions are carried out fairly and in accordance with admissions criteria. It also ensures that parents are correctly given details of their rights of appeal, where appropriate.</p>		

For how many schools of each type does the local authority co-ordinate in-year admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
i. Voluntary aided	0	0
j. Foundation	0	0
k. Academy	0	0
l. Free	0	0
m. UTC	N/A	
n. Studio	N/A	
<p>o. What do you consider to be the advantages and disadvantages of this?</p> <p>We receive many complaints from parents that the schools have refused applications even though they do have places available, often for very spurious reasons, such as the child does not reside in the catchment area.</p> <p>Parents are not notified of their rights of appeal, and even where they are, parents feel intimidated against appealing to a school directly. We are aware of cases where a school has refused to hear an appeal because the parent did not lodge their appeal within a certain time-frame.</p> <p>There are often unacceptable time delays in schools processing applications, and many parents apply for schools one at a time, meaning that a child can be out of school longer than is necessary.</p>		

7. Appeals

Information on the number of appeals lodged and the proportion upheld is collected separately so this information is not requested again. The information requested below is to add to that information.

	a. How many schools of each type engage the local authority to provide all aspects of the appeals process?		b. How many schools of each type engage the local authority to provide some aspects of the appeals process?	
	Primary including middle deemed primary	Secondary including middle deemed secondary	Primary including middle deemed primary	Secondary including middle deemed secondary
Voluntary aided	1	0	0	0
Foundation	0	0	0	0
Academy	13	19	0	0
Free	0	0	0	0
Studio	N/A		N/A	
UTC	N/A		N/A	

c. Any comments related to this:
 Schools who convert to Academy Status are advised to consider using the Authority's Legal & Democratic Services to administer and organise their appeal processes under a Service Level Agreement.

d. How confident are you that admission appeals for schools which are their own admission authorities meet the requirements of the School Admission Appeals Code?

Not at all confident many doubts a few doubts Very confident

e. Please describe your areas of concern, if any:

A handful of Own Admissions Authority Schools' Appeals were not arranged within the 40 day timeframe. Dealing with OAAs has become much more labour intensive as they have less expertise, other competing priorities, have a higher staff turnover and work term time only. It is often necessary to repeat the same message to each school individually over small matters of process. Given the short window in which to arrange so many school appeals, this does not help expedite the process.

f. Please provide examples of good practice which have come to your attention:

Some High Schools who are their Own Admissions Authority are able to provide more detail in their arguments (e.g. School organisation and/or timetabling issues) not to admit additional pupils, and to provide a more detailed response to any questions from the panel regarding school organisation.

8. Fair Access Protocol

a. Do you have a Fair Access Protocol agreed with the majority of state-funded mainstream schools in your area?

Yes No

b. If no, please explain why:

c. How many children have been admitted or refused admission under the Fair Access Protocol to each type of school in your area?

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	0	0	13	0
Voluntary controlled	0	0	1	4
Voluntary aided	0	0	0	5
Foundation	0	0	0	4
Academy	2	1	2	25
Free	0	0	0	4
UTC	N/A		N/A	
Studio	N/A		N/A	

d. 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

e. Please explain your answer giving examples of good and bad practice; successes and difficulties as appropriate.

More Schools are refusing children at the point of in-year application process even though they appear to have vacancies, and are then referred to Fair Access. However, there have been less successful placements this year.

Not every School responds to requests for the reasons for refusing application and where responses are received they are sometimes outside time-fames.

Delays in admissions and placements are usually based on schools not having sufficient information about a child at the time of the meeting.

9. Directions

How many directions did the local authority make between 31 March 2016 and 31 March 2017 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
a. Voluntary aided	0	0	0	0
b. Foundation	0	0	0	0

c. Please add any comment with regard to strengths or difficulties relating to this.

How many directions did the local authority make between 31 March 2016 and 31 March 2017 for looked after children in another local authority area?

	For primary aged child	For secondary aged child
d. Community	0	0
e. Voluntary controlled	0	0
f. Voluntary aided	0	0
g. Foundation	0	0

h. Please add any comment with regard to strengths or difficulties relating to this.

How many requests for directions did the local authority make to the EFA between 31 March 2016 and 31 March 2017?

	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
i. Academy	0	0	0	0
j. Free	0	0	0	0
k. Studio	N/A	N/A		

I. UTC	N/A	N/A		
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m. Please add any comment with regard to strengths or difficulties relating to this.

10. Other matters

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

The increasing birth rates at Primary level continue to be of concern, due to a lack of school places in some areas. Worcestershire CC has worked hard in its School Planning process, to identify areas of greatest need, and many schools have been and will be expanded to allow for admission of additional pupils through basic need.

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@osa.gsi.gov.uk by 30 June 2017