



Office of
the Schools
Adjudicator

Local Authority Report
To
The Schools Adjudicator
From
Nottinghamshire Local Authority

30 June 2017

Report Cleared by (Name & Title): Colin Pettigrew, Director - Children , Families and Cultural Services,

Date submitted: 22 June 2017

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Please email your completed report to: osa.team@osa.gsi.gov.uk

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:

Good practice:

The fair access team and virtual school have excellent working protocols to ensure swift access to school places/education for looked after children (LAC) through the Vulnerable Children Educational Commissioning (VCEC) meeting which is multi-agency and ensures swift support for educationally vulnerable young people. Tutoring is always put in place whenever a LAC is out of school, enabling supported transitions into any new school placements and promoting swift access to a new school placement. This is both within and outside County borders.

Outside Nottinghamshire:

Some LAs have been slow to respond to admission requests (for example, requesting information multiple times) and there can be difficulty in speaking to correct persons in admissions, all of which can cause delays. This recently resulted in a young person being out of mainstream school 3 months after placement in the area. Difficulties can arise with some LAs when LAC have Education, Health and Care plans – for example, special educational needs (SEN) officers not communicating in a timely fashion to social workers/virtual school to facilitate a school place.

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.

Nottinghamshire is recognised both locally and nationally for being an inclusive local authority for children and young people with special educational needs (SEN), both with and without Education, Health and Care Plans (EHCP). Nottinghamshire applies a graduated response to SEN support and has a system that provides accessible specialist support and/or individual funding to all mainstream school settings to help them support children and young people with SEN, without the need for a statutory EHCP.

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.

3 October 2016 – 27 November 2016

- 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.

X 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

Tweets on the Council's main account. Facebook posts on the Council's main account.

- Other (please specify)

Posters in libraries and early years settings.

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	N/A			
g. UTC	N/A			
h. Studio	x			

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.

The Council does not hold information about how (or how well) own admission authorities consult various groups. We do offer the facility to post their consultation on the Council's public website, if they so wish.

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 explain):

Service children are well served by current arrangements, and are not disadvantaged in comparison with non-service children.

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):

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	0	0	0	0	0
l. Foundation	0	0	0	0	0
m. Academy	0	0	0	0	1
n. Free	0	0	0	0	0
o. UTC	N/A	N/A	N/A	0	0
p. Studio	N/A	N/A	N/A	0	0

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	0	0	0	0	0
r. Foundation	0	0	0	0	0
s. Academy	0	0	0	0	1
t. Free	0	0	00	0	0
u. UTC	N/A	N/A	N/A	0	0
v. Studio	N/A	N/A	N/A	0	0

<p>w. Do you have any further comments with regards to the pupil premiums in addition to the above?</p> <p>No.</p>
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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?

21 February 2017

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

22 February 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	21	N/A
d. Foundation	0	0
e. Academy	38	24
f. Free	N/A00	N/A
g. UTC	N/A	
h. Studio	N/A	
<p>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?</p> <p>1.47 not sending copies of determined arrangements to LA by due date 2.4 some supplementary forms 2.14 waiting lists 3.11 FAP (no reference to participation in FAP) 2.16 deferred entry 2.17 summer born children and admission outside the normal age range</p>		

<p>j. Further comment: please provide any examples or views regarding the determination of admission arrangements that have not been covered above.</p> <ul style="list-style-type: none"> • Wide ranging variations in quality and clarity. • In a few cases, changes being made without consultation. • Where issues of non-compliance were notified, multiple follow-up emails and phone calls were required to some admission authorities, to secure amended arrangements long after the deadline set in the SAC 2014. • Overall, checking compliance places a heavy demand on LA resources, despite clear information being sent to all own admission authorities in the County well in advance (during the Autumn term) reminding them of their responsibilities with respect to consultation, determination and publication of admission arrangements.

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	
Please give examples to illustrate your answer:				
Delays from some LAs in exchanging information by agreed deadlines.				

<p>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.</p> <ul style="list-style-type: none"> • Some academies did not understand the importance of ranking applications against the oversubscription criteria. • Some ranked lists were returned late.

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
d. Community	0	0
e. Voluntary controlled	0	0
<p>f. What do you consider to be the advantages and disadvantages of this?</p> <p>Advantages: The County Council does not delegate responsibility for in-year admissions to community and voluntary controlled schools because it believes that in-year coordination by the LA simplifies the application process and therefore is helpful to parents. Co-ordination also supports safeguarding by reducing the likelihood that a child will be left without a school place.</p> <p>Disadvantages: None identified.</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
g. Voluntary aided	26	1
h. Foundation	0	0
i. Academy	56	21
j. Free		
UTC	N/A	
Studio	N/A	

What do you consider to be the advantages and disadvantages of this?

Please note: there is one through school (YR– Y11) so this has been counted in both primary and secondary columns above.

Advantages: Coordination simplifies the process for parents, because they do not have to make separate applications to several schools.

Disadvantages: The system is not fully coordinated and therefore parents can still find themselves having to make multiple separate applications. Sometimes, own admission authorities do not inform the LA of all applications in a timely manner. If parents have not also applied for any school within the voluntary coordinated scheme, their child can be left without a school place and the LA has no knowledge of this. This raises concerns about potential safeguarding risks.

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	0	0	3	0
Foundation	0	0	0	0
Academy	0	0	11	9
Free	0	0	0	1
Studio	N/A	0	N/A	0
UTC	N/A	0	N/A	0
c. Any comments related to this:				
The Council's democratic services team provides the administration and clerking of appeals, but the schools (not the LA) provide their own presenting officer and prepare the paperwork.				

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:

No issues have been raised recently about the organisation and conduct of appeal hearings. However, we are aware of historical issues in the form of anecdotal evidence from parents - and have not received assurance that they have been corrected.

Of greater concern are reports from parents, especially in relation to in-year admissions, where they approach OAAs and are told that there are no places available so there is no point in applying – or even that they cannot apply. This means that the parents receive no refusal and therefore no right to go to independent appeal. In some instances, parents have had this experience with more than one OAA and the LA is not aware that the children are without a school place. This is particularly true when families move into the County from other areas and can result in children being out of school for long periods of time.

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

No feedback received, so unable to provide a response.

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	31	22		
Voluntary controlled	1			
Voluntary aided	2	6		
Foundation				
Academy	6	168		33
Free		1		
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.

The only challenge we face is that, whilst fair access partnerships work better when formed on a geographic area, some multi-academy trusts (MAT) prefer to work with schools in their trust rather than their geographical area.

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

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

No comments to add.

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	For primary aged looked after children	For secondary aged children	For secondary aged looked after children

	(not looked after)		(not looked after)	
h. Academy	0	0	0	0
i. Free	0	0	0	0
j. Studio	N/A	N/A		
k. UTC	N/A	N/A		

I. 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?

Thank you for completing this template.

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