



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Nottinghamshire Local Authority

30 June 2018

Report Cleared by: Marion Clay :Service Director Education Learning and skills

Date submitted: 27.06.2018

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Please email your completed report to: 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 admissions¹. 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.

12/02/2018

- 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.

13/02/2018

¹ 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.

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?	34	17	1
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. 1.6, 1.7, 2.3, 2.11, 2.17			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above. Changes without consultation (1.42/1.43), not specifying how late applications will be processed, no reference to multiple births, special circumstances (1.6)			

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			X	
iii. Year 7			X	

iv. Other relevant years of entry			X	
v. Please give examples to illustrate your answer: Delays from some LAs in exchange of information and decisions by agreed deadlines				

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:

Admissions and the virtual school have strong communication links to ensure that the right pupils are identified for prioritisation in admission arrangements.
Strong links with fair access colleagues to ensure no drift or delay in the admission for looked after children.

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.

There has been an increasing resistance from the secondary education sector when they are consulted with about the admission of pupils with EHC plans, this appears to be linked to the current school accountability measures.

2. In year 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	4129	959
Number of in year admissions between 1/9/16 and 31/8/17	5362	1591
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?	Moving into or within Nottinghamshire	Moving into or within Nottinghamshire

- 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.

Increasingly OAAs are referring applications to FAP (3.12) even where there is no evidence of challenging behaviour with the individual child. OAAs do attempt to "cap" in-year admissions as a method of attempting to refuse applications.

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)?

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)?

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. When applying to OAAs parents 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.

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:

Admissions and the virtual school have strong communication links to ensure that the right pupils are identified for prioritisation in admission arrangements. Strong links with fair access colleagues to ensure no drift or delay in the admission for looked after children.

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:

There has been an increasing resistance from the secondary education sector when they are consulted with about the admission of pupils with EHC plans, this appears to be linked to the current school accountability measures.

There is an increasing likelihood that schools will refer cases to FAP and/or attempt to make under PAN refusals if pupils are known to have ASD, ADHD, attachment issues.

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:

For families who apply for schools who participate in Nottinghamshire County Councils in-year scheme their application is processed quickly and all children allocated a school place/referred to FAP. Some OAAs do appear to use 3.12 inappropriately and this may result in a delay in a school place being identified.

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	12			
Own admission authority schools	37	324	5	23
Total				

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.

3 Primary children opted for EHE, 2 were placed in school,

3 of the Secondary children opted for EHE, 6 were placed in school, 14 of the secondary pupils were educated through Alternative Provision funded by the LA.

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.

We have 8 secondary Fair Access panels in Nottinghamshire. These are led by the schools in the respective districts and are impacted upon by the Multi Academy Trusts involved. Some work very well others less well.

There have been concerns raised about OAAs turning pupils away on initial contact so no actual formal application has been made, the OAAs therefore do not report an application to the LA which leads to vulnerable children and young people arriving in County remaining unknown to the LA for longer. The only solution to this would require the reintroduction of the coordination of in-year applications by LAs because of safeguarding concerns/ ease for parents/carers when making an application.

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	0	0	0	0

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

We have not needed to resort to formal direction this year.

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
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0	0
D. Please add any comments on the authority's experiences of making directions.	

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)	0	0	0
For primary aged looked after children	0	0	0
For secondary aged children (not looked after)	0	0	0
For secondary aged looked after children	0	0	0
F. Please add any comments on the authority's experiences of requesting directions.			

G. Any other comments on the admission of children in year.

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	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
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oversubscription criterion for admissions in 2019?			
Pupil premium	None	N/A	N/A
Service premium	None	N/A	N/A
Early years pupil premium	None	N/A	N/A
Total number of schools using at least one premium in their oversubscription criteria	None	N/A	N/A

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	None	N/A
	Pupil	None	
	Service	None	
Secondary including middle deemed secondary	Pupil	None	1
	Service	1	
All through	Early years	None	N/A
	Pupil	None	
	Service	None	
C. Do you have any further comments on the use of premiums? N/A			

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?

674

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

Finding school places for children whose Elective Home Education has been deemed unsuitable is extremely challenging.

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?

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.

The form was clear and concise.

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@osa.gsi.gov.uk by 30 June 2018