



Office of
the Schools
Adjudicator

Local Authority Report

to

The Schools Adjudicator

from

Nottinghamshire Local Authority

to be provided by

30 June 2020

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**Please email your completed report to: osa.team@schoolsadjudicator.gov.uk
by 30 June 2020 and earlier if possible**

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Introduction and guidance on completing the report – Revised April 2020

1. 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 matters. This is a revised template issued in the light of the Covid-19 pandemic.
2. This template requests local authorities only for:
 - a) information about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children, children with disabilities and children with special educational needs, including any details of where problems have arisen;
 - b) an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children were admitted to each school under them.
3. We would be grateful if local authorities would follow the approach used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002².
4. Local authorities are, of course, free to comment on any other matters not specifically addressed in this template if they wish to do so under section 3. The views expressed by local authorities in previous years also remain a matter of public record.
5. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2020**.

¹ [Department for Education Statistical First Release](#)

² [The Education Middle School \(England\) Regulations 2002](#)

Information requested

Section 1 - Normal point of admission

A. Co-ordination

i. 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
Reception			X	
Year 7			X	
Other relevant years of entry				X
ii. Please give examples to illustrate your answer if you wish:				
<p>There were difficulties in coordination with some neighbouring authorities as the neighbouring LA continues to advise their residents that applications will be taken after the national closing date. This leads to delays in application information being shared and impacts on the information made available to own admission authority schools to rank. Final decisions from one neighbouring LA for reception applications were not received until after outcomes had been published.</p> <p>Some own admission authority schools made offers to parents without reference to oversubscription criteria after national offer day, despite being at PAN. These outcomes were issued ahead of any notification being sent by the home LA. In addition, other own admission authority schools allocated places to all those who had appealed against the decision to refuse, without reference to the waiting list/criteria resulting in several families being disadvantaged.</p>				

B. Looked after and previously looked after children

- i. How well does the admissions system 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 applicable³

- ii. How well do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission**?

³ 'Not applicable' will only be appropriate if there are no children falling within this definition.

Not at all Not well Well Very well Not applicable³

iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area **at normal points of admission**?

Not at all Not well Well Very well Not applicable³

iv. How well does the admissions system 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 applicable³

v. Priority in admission arrangements for 2021 for adopted children previously in care abroad. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish.

NCC gives priority in the oversubscription criteria for children adopted from abroad for community and voluntary controlled schools. A number of own admission authority schools have also included this in their arrangements. We are only aware of 1 application that indicated this for admission in September 2020.

vi. If you wish to please give any examples of good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at the **normal points of admission**:

All applications where it is indicated the child is looked after or previously looked after is followed up and this information shared with other admission authorities (where preferences are made) to ensure the child is ranked correctly according to their care status.

C. Special educational needs and disabilities

- i. Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at the normal points of admission:

NCC identifies all those children with an EHC plan and works with colleagues in SEN teams to monitor those children being placed in mainstream school. These families are not sent application information for the coordinated intake round.

In addition, for community and voluntary controlled schools NCC will give higher priority to an application where it is established that it is the only school that can meet a child's particular needs. This system relies on parents and professionals providing supporting information by the closing date for applications.

Section 2 - In-year⁴ admissions

A. Co-ordination of in-year admissions

Please provide any comments on the co-ordination of **in year admissions** if you wish.

NCC operates a coordinated in year admissions scheme which OAA schools are encouraged to participate in. This supports parents making a single application and contributes to safeguarding. A number of own admission authorities (33), mostly secondary schools, operate outside this scheme. In one administrative district all secondary schools manage their own in-year admissions, which makes it difficult to identify places for pupils moving into the area outside the normal admission round.

NCC has concerns that some admission authorities that manage their own in-year admissions are not complying with the Code in the following ways:

- not reporting applications and outcomes which can lead to children missing education if NCC is not aware that they are in the area
- application forms are not always easily accessible for parents
- application forms request information that is not required or is prohibited within the Code
- interviewing families prior to making a decision on an application
- advising parents who enquire about application process that there are no places to discourage applications being made.

In all cases where NCC is made aware of these concerns, it writes to schools to remind them of the requirements of the Code.

⁴ 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 after the end of the statutory waiting list period (ie 31 December) in normal years of admission.

B. Looked after children and previously looked after children

- i. How well does the **in-year admissions** system serve children who are looked after by your local authority and who are being educated in your area?

Not at all Not well Well Very well Not applicable⁵

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

Not at all Not well Well Very well Not applicable⁶

- iii. How well does your **in-year admissions** system serve the interests of children who are looked after by other local authorities but educated in your area?

Not at all Not well Well Very well Not applicable⁶

- iv. How well does your **in-year admissions** system serve the interests of previously looked after children?

Not at all Not well Well Very well Not applicable⁶

- v. If you wish please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for looked after and previously looked after children:

NCC's admissions service and the virtual school work well together to ensure the right school in the right area is secured when an in-year admission is required. Where required contact is made with the virtual school to discuss applications relating to previously looked after/other local authority looked after children. Good early dialogue with the admissions team prevents delay and there is no barrier to this communication for the virtual school or the other relevant services e.g. children's social care when required.

Fair access team experiences some delays in schools making decisions on in-year applications for these children. The team supports schools admitting looked after children from other local authority areas by providing access to 1:1 tutoring which supports transition. The information from other local authorities is often limited which results in further contact to obtain relevant information from multiple agencies, this can create delays.

⁵ 'Not applicable' will only be appropriate if there are no children falling within this definition.

⁶ 'Not applicable' will only be appropriate if there are no children falling within this definition.

There remains some misunderstanding from in-year applicants that LAC children are guaranteed a place at any preferred school.

C. Children with special educational needs and/or disabilities

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

Not at all Not well Well Very well Not applicable⁶

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

Not at all Not well Well Very well Don't know

- iii. Please give examples of good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for children with special educational needs and/or disabilities:

Where children/young people are either issued with an EHCP or move into Nottinghamshire during the academic year and require a special school, some difficulties arise. Due to special schools being full these children are difficult to place and usually have to wait several months for a place. Over the last 3 years all 11 NCC special schools have increased capacity to the point where further growth is not possible. All neighbouring LAs are in the same position so this cohort can become EOTAS or have to be placed in INMs which takes time to progress. In addition, a small number of mainstream schools are also reluctant to take children/young people moving into NCC's area with EHCPs stating staffing, funding and the number of other children/young people with SEN already in their schools as barriers.

Periods of personal tutoring and support from Health Related Education Team is available alongside alternative provision which helps to prepare the children for full time admission into school. There are often delays in arranging admission for those children with additional needs without an EHCP and often these result in referral to fair access.

- iv. If you wish please provide any comments about **in-year admissions** in respect of other children:

Some areas of the County are oversubscribed which can create delays for families moving into the area. Where schools also manage their own in-year admissions it

can be difficult to negotiate the admission of children where the parents have not applied directly to that school. For example, a child who has moved in to the area out of the normal admissions round and it is not possible to secure a school place. NCC seeks to offer an alternative school in these circumstances to ensure education provision is in place and in areas that are oversubscribed it results in an increase in fair access cases.

D. Fair access protocol

i. Has your fair access protocol been agreed⁷ with the majority of state-funded mainstream schools in your area?

- Yes for primary
- Yes for secondary

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

iii. How many children were admitted to schools in your area under the fair access protocol between 1 April 2019 and 31 March 2020?

Type of school	Number of children admitted	
	Primary aged children	Secondary aged children
Community and voluntary controlled	3	0
Foundation, voluntary aided and academies	15	68
Total		

iv. 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 applicable⁸

v. Please make any relevant comment on the protocol not covered above if you wish.

There is a high number of own admission authority schools (nearly all secondary schools). These establishments, many of whom are part of Multi-Academy Trusts, can be reluctant to admit children, even though they have signed up to the fair

⁷ An existing protocol remains binding on all schools up until the point at which a new one is adopted.

⁸ 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

access protocol. In areas of oversubscription, this inevitably leads to delays in securing a school place.

There is a significant increase in the number of applications taking more than 20 days and an increase in the number of schools seeking to refer to fair access due to challenging behaviour (Section 3:12). A small number of schools attempt to refer to fair access inappropriately.

More positively, in some areas, groups of schools have taken greater ownership of fair access policies and processes and work cooperatively with each other. Processes therefore work more smoothly and with fewer delays in these areas

E. Any other comments on the admission of children **in-year** not previously raised if you wish.

NCC has determined a change to its in-year timelines from 2021-2022. This will support the prompt placement of children, particularly those new to the County and vulnerable families, and will also aim to reduce the time children are without a school place.

Section 3 - Other matters

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

Consultation and determination - own admission authorities remain unclear on their responsibilities in relation to consultation and determination of their admission arrangements. Of 164 OAA schools in Nottinghamshire, 62 did not provide a copy of their arrangements by 15 March and 5 remain outstanding.

There is an increase in OAAs wishing to include priority for nursery in their admission arrangements.

Coordination - some own admission authority schools made offers to parents without reference to oversubscription criteria after national offer day. This was against advice from NCC as PAN had been reached and additional offers could create a breach to infant class size. These outcomes were issued ahead of any notification being sent by the home LA and impact on other schools in the locality. Similarly, OAAs contacted NCC after national offer day to advise that they could offer additional places over their determined PAN – this impacted on NCC managing its coordination duties effectively.

In addition, both at main coordination round and through in-year process, other own admission authority schools allocated places to only those families who had lodged an appeal against the decision to refuse a place. This was without the

appeal being heard and without reference to the waiting list/criteria resulting in several families being disadvantaged.

Section 4 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2021.

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@schoolsadjudicator.gov.uk by 30 June 2020