LOCAL AUTHORITY REPORT

TO

THE SCHOOLS ADJUDICATOR

FROM

London Borough of Bexley

30 JUNE 2013

Report Cleared by  Jane Richardson
Deputy Director, Strategic Planning and Resources

Date submitted: 28 June 2013

By  Jenny Watson
Head of School Organisation and Development

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www.education.gov.uk/schoolsadjudicator/

Please email your completed report to: OSA.TEAM@OSA.GSI.GOV.UK
Introduction

1. Section 88P of the School Standards and Framework Act 1998 requires Local Authorities to make an annual report to the adjudicator.

2. The School Admissions Code (the Code) at paragraph 6 sets out the requirements for reports by local authorities. 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 local issues.

3. The remit letter from the Secretary of State for Education to the Chief Schools Adjudicator also makes reference to additional matters on which he wishes to have a report included in the Chief Adjudicator’s annual report. Rather than undertake a separate exercise in which information is sought from local authorities, you are asked to include any relevant information in your report to the adjudicator.

Completing the Template

This template is designed to be completed electronically - boxes will expand as necessary.

Throughout this report, please include middle deemed primary schools as for pupils up to age 11 and middle deemed secondary schools as for pupils over 11.

Where type of school is given; foundation covers foundation schools and foundation schools with a foundation (trust schools). Academy covers all types of Academy schools (Academies, Free Schools, University Technical Colleges and Studio Schools).

Local Authority school numbers

Please give the total number of schools by type within your local authority as at 30 June 2013.

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of schools for pupils up to age 11</th>
<th>Number of schools for pupils over age 11</th>
<th>Total number of Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community</td>
<td>34</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>Voluntary Controlled</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Voluntary Aided</td>
<td>12</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Foundation</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Academy</td>
<td>9</td>
<td>16</td>
<td>25</td>
</tr>
<tr>
<td>Total</td>
<td>59</td>
<td>16</td>
<td>75</td>
</tr>
</tbody>
</table>
Admission Arrangements for Admissions in September 2013

Please provide details of how the admission arrangements for schools in your local authority serve the interests of the groups of children listed below. Please include details of any problems that have arisen for these children while allocating places for admissions in September 2013 [the Code paragraph 3.23 a) refers].

**Looked after children:** All schools give first priority to looked after or previously looked after children in the normal admissions round. It can be difficult to secure places for late applicants where a school is already full, but such cases have been resolved for September 2013.

**Previously looked after children:** As above

**Children with disabilities:** There have been no difficulties securing places for children with disabilities for September 2013. Adaptations are made where appropriate to ensure that a school is accessible

**Children who have special educational needs**

i) Have a statement of special needs that names a school:
   All children with statements of special needs have been placed at the named schools

ii) Have special needs, but do not have a statement:
   There are generally no difficulties during the normal admissions round, unless a primary school feels that it cannot meet the needs of a particular child who is under assessment for a statement of special needs or due to be assessed. Such cases are resolved locally.

**Fair Access Protocol**

The Code at paragraph 3.9 requires each local authority to have a Fair Access Protocol agreed with the majority of schools in its area. Paragraph 3.11 of the Code requires that all admission authorities must participate in the Fair Access Protocol.

a) Please confirm that your local authority has a Fair Access Protocol that has been agreed with the majority of schools in your area.

Tick as appropriate:  
Yes ✓  No ☐
If **NO**, please explain:

b) Although a majority of schools, and perhaps all, will have agreed the Fair Access Protocol, some may not have done so; please state how many schools have not agreed the Fair Access Protocol.

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of schools that have not agreed Fair Access Protocol</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Schools for pupils up to age 11</td>
<td>Schools for pupils over age 11</td>
</tr>
<tr>
<td>Community</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Voluntary Controlled</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Voluntary Aided</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Foundation</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Academy</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

c) Where schools did not agree the Fair Access Protocol; please say why they did not agree.

N/A

d) Have you reviewed your Fair Access Protocol since the School Admissions Code 2012 was introduced?

Tick as appropriate:  **Yes** ✓  **No** ☐

e) If YES, please briefly outline the process for the review and include any significant changes that have been made to your protocol.

Proposals for change are agreed between the Chair of the Panel and the Head of Inclusion, and written drafts are then discussed by all Heads at the relevant primary or secondary panel meeting before the agreed final version is adopted.

**Secondary review items in 2012/13:**
Procedure for dealing quickly with Year 10 and 11 in year applicants without a school place
Address, ID and status verification requirements for in year applicants
Co-ordination of in year secondary admissions from September 2013

**Primary review items in 2012/13:**
Protocol for managed moves for children at risk of permanent exclusion
f) If NO, do you plan to do so in 2013/14?

Tick as appropriate:  Yes ☐  No ☐

If NO explain why:

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g) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2012/13 in placing children without a school place in schools in a timely manner. Include details of i) any specific problems that have been encountered in applying the protocol; ii) examples of particularly effective collaboration and working.

**General Assessment:**
Both the secondary and primary Fair Access Panels meet regularly and are well attended by representatives from most secondary schools and a proportion of primary schools. The primary panel has not had to place many children this year, but the secondary panel has placed 40 children in schools and a further 19 in alternative provision. Representatives work well together and with the LA to ensure that children without school places are back in education as quickly as possible.

i) Any specific problems.
Schools have occasionally appealed against the FAP decision, but all children have been admitted to the designated school.

ii) Examples of particularly effective collaboration and working.
Review of Fair Access Protocol by secondary Head Teachers

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h) How many children have been admitted to each type of school in the area under the protocol? How many children have been refused admission to a school?

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of children admitted</th>
<th>Number of children refused admission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Schools for pupils up to age 11</td>
<td>Schools for pupils over age 11</td>
</tr>
<tr>
<td>Community</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Voluntary Controlled</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voluntary Aided</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foundation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Academy</td>
<td>1</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>2</td>
<td>40</td>
</tr>
</tbody>
</table>

i) If children have not been placed successfully in a school through the
protocol, have you used the direction process to provide a place for a child?

Tick as appropriate: Yes ☐ No ☐ N/A √

j) If YES, how many children have been placed and in which type of school as a result of a direction, including a direction via the Secretary of State or after a referral to the Adjudicator?

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of children placed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Schools for pupils up to age 11</td>
</tr>
<tr>
<td>Community</td>
<td></td>
</tr>
<tr>
<td>Voluntary Controlled</td>
<td></td>
</tr>
<tr>
<td>Voluntary Aided</td>
<td></td>
</tr>
<tr>
<td>Foundation</td>
<td></td>
</tr>
<tr>
<td>Academy</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>

k) Please add any other relevant information you wish to include in this section concerning Fair Access Protocols, for example, have you used the guidance issued by the Department for Education in November 2012 and has it proved useful?

Yes, we did use the guidance issued in November 2012 and found it generally useful. However we sought clarification twice from the DfE on a particular point, and after a long delay, we were informed that the DfE does not give advice.

**Co-ordination of admissions**

A) During the normal admissions round:

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2013 in your local authority highlighting any particular strengths in the process and any problems.

Primary: Very effective.

Secondary: Very effective.

Some concerns among secondary admission authorities about late offers made by out borough schools, and by delays in offering places from waiting lists where the child lives in another area and communication is through the home LA.
B) In-year admissions:

a) How many requests for in-year admissions have been received since 1 September 2012?

<table>
<thead>
<tr>
<th>Number of in-year admissions</th>
<th>For pupils up to age 11</th>
<th>For pupils over age 11</th>
</tr>
</thead>
<tbody>
<tr>
<td>945</td>
<td>351</td>
<td></td>
</tr>
</tbody>
</table>

b) Please comment on the effectiveness of in-year admission arrangements in your local authority.

In year admission arrangements are generally effective and most applicants are offered places within a reasonable time. Some schools do not inform the LA of current vacancies and offers of places. All secondary schools are Academies and whilst most make quick decisions on in year applications, there are delays on some occasions.

Higher levels of families moving into Bexley mean that there are occasional delays in processing applications, and it can be difficult to secure places in some year groups in particular parts of the borough.

c) From September 2013 in-year admission arrangements do not have to be co-ordinated by the local authority. Have you discussed with the own admission authority schools in your area the option of continuing to co-ordinate in-year admissions?

Tick as appropriate: Yes ☑ No ☐

d) Will the local authority continue to co-ordinate in-year admissions for all schools in your area?

Tick as appropriate: Yes ☐ No ☐ See (e) below

e) If NO, how many own admission authority schools have elected to manage their own in-year admissions?

The majority of secondary Head Teachers have agreed that it would be preferable for the LA to continue to co-ordinate the application process to reduce duplication of evidence gathering and the potential of multiple offers, and to facilitate the monitoring of children without school places.

Discussions are still continuing with primary Head Teachers but the outcome is likely to be the same as for secondary schools.

A local process is being finalised for agreement with Head Teachers.
Admission Appeals  To be submitted separately

a) Please provide details about the number of appeals lodged for admissions in September 2013.

<table>
<thead>
<tr>
<th>Number of Appeals</th>
<th>Lodged</th>
<th>Settled</th>
<th>Withdrawn</th>
<th>Heard</th>
<th>Upheld</th>
<th>Not Upheld</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pupils up to age 11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pupils age 11-16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pupils over age 16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date up to which information applies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please note there will be an opportunity to update this data up until 31 August 2013 - the update form is attached as an appendix so that you can return separately if you wish at the end of August.

b) Please add any comments about the appeals process in your area.

As the number of own admission authority schools increases, it is not possible for the LA to know whether all are dealing with appeals in accordance with the School Appeals Code.

Other Issues

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally by 30 June.

a) Please indicate where or how a copy of the report can be obtained by a member of the public:

Tick as appropriate: Local authority website √ Hard copy √ Other □

If other please state:

If not published by 30 June please provide details of when and where the report will be published:

b) Paragraph 3.2 says “local authorities must refer an objection to the
Schools Adjudicator if they are of the view or suspect that the admission arrangements that have been determined by other admission authorities are unlawful”. Please describe the process that the local authority uses to assess whether the admission arrangements of own authority schools comply with the Code.

Proposed and published admission arrangements are assessed by the LA, and any comments or objections made by parents, Head Teachers and other stakeholders taken into account. Potential non-compliance is discussed with the school concerned, and a decision on further action would be taken if required.

c) If any arrangements were thought not to be compliant, what action has the local authority taken to ensure own admission authority schools have admission arrangements that comply with the Code?

N/A

d) Are there any secondary schools in your area that give priority for attending named feeder primary schools?

Tick as appropriate: Yes ☐ No √

e) If YES, are you satisfied that attendance at the named primary school(s) does not introduce what is in effect a pre-condition for gaining a place at the secondary school?

Tick as appropriate: Yes ☐ No ☐

Please comment if appropriate:

Local Authority Issues

Please provide details of any other issues that you would like to raise and comment on that are not already covered in this report.

We have a concern about a small number of schools that encourage parents to declare EHE as an alternative to fixed or permanent exclusions, as a way of dealing with behaviour and attendance issues. Parents may then be unable or unwilling to provide a satisfactory education at home, and a new school place has to be found for the child as an in year applicant.
Remit Letter from the Secretary of State for Education to the Chief Adjudicator

The Secretary of State has asked that the Chief Adjudicator’s annual report includes an assessment of the impact in local areas of having more own admission authorities and any implications for parental choice.

Does the local authority carry out any investigations into the impact for parents of having many or most or all schools in an area that are their own admission authority?

Tick as appropriate:  Yes ☐  No √

If YES, what was the outcome of the investigation:

If NO, are there any plans to monitor the impact for parents of having an increasing number of own admission authority schools:

There are no current plans for a formal monitoring exercise. Bexley is a relatively small borough, and there are no significant issues with the sixteen secondary admission authorities. The situation will be kept under review as more primary schools become Academies.

If the admission arrangements of individual schools are all considered to be lawful, is there any difficulty for parents in securing a place at a local school?

Tick as appropriate:  Yes ☐  No √

If YES, has the local authority considered what might be done to overcome any difficulties:

Please email your completed report to: OSA.TEAM@OSA.GSI.GOV.UK