



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Bexley Local Authority

30 June 2018

Report Cleared by (Name & Title): Graham Ward, Deputy Director Major Projects, Infrastructure and Delivery.

Date submitted: 27/06/2018

By (Name & Title): David Mummery, School Admissions Manager

Contact email address: david.mummery@bexley.gov.uk

Telephone number: 020 3045 3706

www.gov.uk/government/organisations/office-of-the-schools-adjudicator

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.

22/02/2018

- 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.

15/03/2018

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?	None	None	None
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.			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.			

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: Nursery coordination has proved complicated this year with many schools offering various nursery packages trying to compete with PVI providers offering 30 hours.				

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:

Some faith schools in neighbouring authorities returned LAC applications without offer as the pupil/family didn't meet faith criteria.

Arrangements checked with the relevant LA and they confirmed this is how the criteria works.

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.

Needs not relevant to admission without an EHCP, unless qualify for medical need.

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	869	421
Number of in year admissions between 1/9/16 and 31/8/17	1434	640
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?	Moved into the borough/country	Moved into the borough/country

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.

This has been a major issue, mainly with secondary schools. All Bexley secondary school are academies and therefore we have little control over in year admissions as an LA. Not having definitive vacancy numbers from schools has seen an increased use of FAP.

We are working on improving communications between academies and the LA through a new strategic education partnership.

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)?
Disadvantage is the lack of control the LA has.

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)?

Better tracking of out of school pupils, greater CME input and knowledge

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:

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:

Dependent on the type of disability or need.

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:

paragraphs 3.8 and 3.14 have been used to counter the argument put forward by the school and in most cases a resolution has been found.

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	0	All are academies	0	0
Own admission authority schools	2	85	0	1 went to ESFA for adjudication
Total	2	85	0	1

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.

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.

Schools engage with the FAP and most cases are taken voluntarily, where they are not the inclusion manager seeks a direction either through the Local DCS or via the secretary of state.

We have had very few permanent exclusions in Primary within this time frame. In fact, we have had none between Sept 2017 – Mar 2018. The two that we have had were accepted by schools through the Fair Access Protocol. One of them was a permanent exclusion and the school worked well with the pupil referral unit in supporting the transition from PRU to mainstream school. Both cases were successful.

Main difficulty in secondary was with one school that refused direction and forced us to go to the ESFA which involved a long to and fro process. Most other schools complied well but sometimes with delays. It would be good to reduce secondary permanent exclusions so that we do not have to process so many cases.

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	1	0	17	0
<p>B. Please add any comments on the authority's experiences of making directions.</p> <p>Fewer directions seem to be needed if schools know that we are serious about going to the EFSA if they turn one down and if we are transparently fair.</p>				

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
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)	1	1	0
For secondary aged looked after children	0	0	0
<p>F. Please add any comments on the authority's experiences of requesting directions.</p> <p>The direction process is protracted and does not give indicative timeframes for ESFA responses when one is awaited. In one experience, the same queries were raised by the ESFA in relation to a child's circumstances (at different times during the process). These queries were dealt with quickly by the LA but the ESFA responses and follow on decision making took considerable time. On request to be given a deadline for receipt of response/decision this was refused.</p>			

<p>G. Any other comments on the admission of children in year.</p> <p>Still continuing to see a very high demand.</p>

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 oversubscription criterion for admissions in 2019?	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
Pupil premium	0	2	0
Service premium	0	0	0
Early years pupil premium	0	N/A	0
Total number of schools using at least one premium in their oversubscription criteria	0	2	0

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 over subscription criteria
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			for 2019
Primary including middle deemed primary	Early years	0	0
	Pupil	0	
	Service	0	
Secondary including middle deemed secondary	Pupil	2	2
	Service	0	
All through	Early years	0	0
	Pupil	0	
	Service	0	
C. Do you have any further comments on the use of premiums?			

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?

235

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

There is a local concern that Elective Home Education is being used as a tool to avoid things such as exclusion, non attendance prosecution and other issues such as bullying.

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 template has become far easier to complete, questions are clearer and more concise.

Thank you for completing this template.

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