



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

876 Halton Local Authority

30 June 2018

Report Cleared by (Name & Title): Milorad Vasic – Strategic Director, People

Date submitted: 21st June 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.

18/01/2018

- 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.

12/02/2018

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?	0	2	0
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. Paragraph 1.42 – In particular introducing new oversubscription criteria without appropriate consultation			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above. Although it is not a requirement to consult regarding raising a PAN we have experienced difficulty with own admissions authority schools in the secondary sector increasing PAN following allocation and National Offer Day, making it difficult for other undersubscribed schools in the area to properly plan for the coming year.			

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
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ii. Reception			x	
iii. Year 7				x
iv. Other relevant years of entry				
v. Please give examples to illustrate your answer:				

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:

An issue faced with regards to this area of admissions is where own admission authority faith schools in other local authorities have not adopted the practice of prioritising the admission of looked after/previously looked after children and have applied faith criteria to this cohort, meaning that looked after children are refused places on the grounds that they have not been baptised or are a member of the relevant faith. A suggestion here would be to abolish this option and to ensure that **all** children who are looked after/previously looked after receive an equal and highest priority within school admissions policies for all schools nationwide.

An area of delay for admissions arises when the looked after child has an EHCP, regardless of whether the identified provision is mainstream or specialist. The complicating factor is that there are multiple systems at work which do not necessarily run smoothly together. A suggestion would be to have consistency around time frames for admission of a looked after child with an EHCP and for that to be written into both the Code of Practice and the statutory guidance 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.
Pupils at SEND support who have been previously excluded are hard to place easily. In year fair access system is helping with this matter.

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	491	160
Number of in year admissions between 1/9/16 and 31/8/17	501	225
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?	It varies from families moving house to parents feeling that the relationship with current school has broken down	It varies from families moving house to parents feeling that the relationship with current school has broken down

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 was a much greater problem with secondary schools in previous years but for the academic years 2016/17 and 2017/18 all secondary schools have commissioned the local authority to coordinate in-year admissions and this has led to a reduction in such problems. There have been less than ten cases to date in this academic year where this problem has arisen. At primary level this is not currently an issue.

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)?

The main advantage of delegating responsibility at primary level is that the majority of these applications are straight forward, ordinary applications which can either be agreed to and placed or offered the right of appeal. The main disadvantage is that schools do not always notify the local authority of the application or its status, which has the potential of leaving children without a school place for an unreasonable time period. This has improved year-on-year but is still a potential problem.

At secondary level the local authority has been commissioned by all schools to coordinate in-year admissions and this has been well received by all parties involved in the process.

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)?

Similar to the answer (d) above, the main advantage of coordinating the in-year admissions process is that we are aware of all children seeking school places in the local area and the status of those applications. This enables us to ensure that children are not left without a school place for an unreasonable time period.

The only disadvantage arises when a school is not happy to proceed with a normal admission despite having places available and despite the child not meeting the locally agreed eligibility criteria for referral under the Fair Access Protocol but the LA are now aware of these cases and they have reduced significantly year-on-year with all admissions being coordinated.

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:
Children with SEMH issues are harder to place than children at SEND support with other areas of 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:

Despite extensive work being carried out to develop and implement a revised Fair Access Protocol which was approved by all schools in the local area, some schools continue to refuse places to children, who do not meet the locally agreed eligibility criteria, despite having vacancies in the requested year groups within the originally set PAN for that year group.

That aside, the identification of children who are eligible for the scheme is now coordinated by the LA Admissions Team and this has improved the accuracy of children being referred through to the scheme and the speed at which these vulnerable children are being admitted to a school.

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	0	0	0
Own admission authority schools	0	110 (23 Apr17-Aug17, 87 Sep17- Mar 18)	0	7 (6 Apr17-Aug17, 1 Sep18 – Mar18) and
Total	0	110	0	7

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.

Numbers of refusals have dropped this academic year due to the new locally agreed Protocol being in place. The Headteacher of the local Pupil Referral Unit (PRU) is a member of the Panel for the locally agreed Fair Access Protocol and children for whom a mainstream placement is not deemed to be in the best interests of the child are provided with places at the PRU.

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.

This is the third iteration of the locally agreed Fair Access Protocol in four academic years, and there have been some difficulties in ensuring

proportional placements with the geographical constraints meaning that one side of the authority is served by only three secondary schools whilst the other has five (the borough is divided by the River Mersey). The new Protocol for 2017-18 has widened the eligibility criteria and works alongside a managed transfer process for children already placed within the borough, in an effort to offer more inclusive alternatives for pupils at risk of permanent exclusion but also to reduce the mobility of pupils within the borough which can be detrimental to their outcomes.

Also under the current Protocol all in-year admissions and the administration of the Protocol are coordinated by the LA Admissions Team, which has worked well overall and there is a noticeable improvement in the speed at which applications are processed and progressed through the scheme.

Transparency of data and an open reviewing process has encouraged a more cooperative environment and schools and the LA are working well in partnership to ensure that children are not left without a school place for an unreasonable amount of time. Moving forwards a more robust information gathering process and co-ordination with our newly appointed Behaviour Support Team are seen as being key to ensuring the continued success of the process.

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.

To avoid unnecessary delays in placing a child the LA has worked in partnership with all schools to ensure that our most vulnerable children are placed without delay. Some concerns exist regarding Paragraph 3.13 of the Code, in particular at Primary level, where schools are reporting that they are unable to meet a child's needs despite the child having not undergone any formal assessment or having been identified as having special educational needs which cannot be met in a mainstream school. In all cases however the LA and school have worked together to ensure that the child is placed as quickly as possible, although it is fair to say that additional funding is often required to ensure this happens.

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	N/A	N/A
For primary aged looked after children	0	N/A	N/A
For secondary aged children (not looked after)	0	N/A	N/A
For secondary aged looked after children	0	N/A	N/A
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 oversubscription criterion for admissions in 2019?	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
Pupil premium	0	0	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	0	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 for 2019	
Primary including middle deemed primary	Early years	0	0
	Pupil	0	
	Service	0	
Secondary including middle deemed secondary	Pupil	0	0
	Service	0	
All through	Early years	0	0
	Pupil	0	
	Service	0	

C. Do you have any further comments on the use of premiums?

Given the high level of deprivation and percentage of pupils eligible for Early Years and Pupil Premiums within the local authority it has not been deemed necessary to promote the inclusion of a premium as a category within the oversubscription criteria for schools.

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?

79

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

The locally agreed Fair Access and Managed Transfer Protocol works well in placing electively home educated children back in school when parents request this. In previous years there had been some concern that schools were encouraging parents to electively home educate their child as an alternative to permanent exclusion but it is hoped that the revision of the Protocol has offered more alternatives to ensure that vulnerable children remain in school.

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.

This year's version flowed well and was easy to pull together data for as it is becoming more consistent each year.

Thank you for completing this template.

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