



Office of  
the Schools  
Adjudicator

**Local Authority Report**

**To**

**The Schools Adjudicator**

**From**

**Newcastle upon Tyne Local Authority**

**30 June 2018**

**Report Cleared by (Name & Title): Ewen Weir, Director for People**

**Date submitted: 21 June 2018**

**By (Name & Title): Lorraine Griffin, Access, Admissions & Attendance Manager**

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**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto: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 admissions<sup>1</sup>. 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.

18/12/2017

- 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.

22/01/2018

- iii. What proportion of arrangements for own admission schools was provided to the local authority by 15 March?

Not applicable    None    Minority    Majority    All

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<sup>1</sup> 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.

	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?	7	2	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.  Sections 1.13 and 1.8			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.  A number of schools published policies with incorrect dates for the co-ordinated scheme or for maintaining waiting lists.			

## 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:				

The deadline the LA gives to schools has built in contingency time, which has resulted in all schools submitting ranked lists in time for the process to run smoothly.

### 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:

All schools give priority to LAC and previously looked after children in accordance with the School Admissions Code. However it remains an issue in a small number of cases that faith schools give priority to children of their faith before LAC or PLAC without a proven faith, meaning these children do not always get offered a place in the preferred school.

### 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.

Children with EHCPs/statements are all admitted to named schools as a priority. Other children are admitted in line with the School Admissions Code.

## 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	985	412
Number of in year admissions between 1/9/16 and 31/8/17	1870	768
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?	Approximately 50% new to the city; 50% school to school move	Approximately 50% new to the city; 50% school to school move

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 is not applicable in Newcastle as schools do not "cap" places.

## 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)?

**Advantages** – Potentially faster turnaround for applicants and schools can respond more quickly to fill vacancies as they arise.

**Disadvantages** – Increased LA workload in monitoring compliance with the School Admissions Code and outcomes of applications. Issues have arisen where schools proposed to refuse admission under delegated authority.

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** – If the LA centrally co-ordinated in-years for all children in the same way as normal age of entry, it would be a more simplified process for parents as they would only need to make a single application, communicate with one single admission service and each child would receive a single offer – the best available at that time. The current process can be very lengthy for parents to find a school with an available place, especially for sibling groups. Parents will experience inconsistencies across different schools in how in-years are administered and timescales for responses. It is difficult to be certain that all own admission authorities are complying with the School Admissions Code. As an LA we have an additional layer of monitoring and challenge, which would not be required if we co-ordinated in-year offers centrally. The volume of applications to respond to directly can be an administrative burden for popular schools. We offer a traded service for in-year administration, which approx. 1/3 of our schools and academies choose to purchase. This suggests a demand for a co-ordination function.

**Disadvantages** – Complexity of central co-ordination and timescales, especially with most schools now having their own unique admission criteria requiring them to re-rank waiting lists each time an offer needs to be made.

### 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:

With regards to our local authority, our schools will prioritise LAC and previously looked after children, respond to queries knowledgeably, and are always helpful. However it remains an issue in a small number of cases that faith schools give priority to children of their faith before LAC or PLAC without a proven faith, meaning these children do not always get offered a place in the preferred school.

Other Local Authorities arrangements are more variable and some LAs can be difficult to contact by phone directly. In some LAs, all LAC admissions go through the Virtual School rather than to the central Admissions team or directly to schools, which can create delays and complications as it seems to involve more negotiation than the normal application process.

We have had own admission authorities in other areas refuse to admit LAC.

#### **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:

No comments

## 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:

Not an issue in Newcastle. It did take some time to agree the definition of "challenging behaviour" but both phases have finally adopted a high threshold of previously permanently excluded or attended a Pupil Referral Unit. This followed cases where schools had refused admission of children with social and emotional needs on the basis they might present challenges. It was decided that definitions which enabled schools to be subjective about whether they would admit a child were unfair and open to discrimination.

## 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:

Reviews of both protocols took place in the Autumn term 2017/18. To date, only the revised Primary FAP has been agreed. The revised secondary FAP remains as a draft so we are working to an earlier draft protocol that was agreed as a pilot in September 2016. Discussions to finalise the secondary FAP are ongoing and it is hoped for sign-off before the end of term.

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	1	11	0	0
Own admission authority schools		56	0	0
Total	1	67	0	0

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.

Not applicable

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.

The review of the primary Fair Access Protocol has only recently been completed. It is early days and practice is still being embedded and reviewed, but seems to be working well. The system can be still be slow for some pupils to secure a school place, however the process does generate more definite outcomes giving the child the opportunity of a fresh start.

The secondary Fair Access Protocol has strengthened the working relationships between schools who are all represented at meetings by the Pastoral Leads. The transparency of the process has resulted in increased trust between schools and has led to an equitable system whereby hard to place children are distributed equally between schools.

#### 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	1	0	0

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

Newcastle schools are proactive in accommodating LAC children, vulnerable children and excepted pupils wherever possible. The particular school was already over number in the particular year group otherwise the opposition would not have arisen.

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.

We did issue a formal notice of potential direction in respect of one secondary aged child in another LA but the case was resolved and a place agreed prior to issuing the formal direction notice.

As an authority we work well with other local authorities to try to ensure direction is not required.

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?
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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
<p>F. Please add any comments on the authority's experiences of requesting directions.</p> <p>Not applicable.</p>			

<p>G. Any other comments on the admission of children in year.</p> <p>Half of all our in years are children moving between schools within the City. We are concerned about the impact this disruption has on many children's education but are powerless to manage or limit parents' ability to move their child if another school has a space. The right to apply at any time for any school can be abused by parents when problems arise and they are being challenged on issues such as behaviour or attendance in one school.</p>
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## 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	0	0	0

oversubscription criteria			
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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	1
	Pupil	1	
	Service	1	
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?			

## 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?

146
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B. Any comments to make relating to admissions and children electively home educated?

Secondary schools have proposed through Fair Access that EHE children are placed back in their former schools. This is currently applied in the small number of cases where the LA is proposing to issue a School Attendance Order in respect of an EHE child and will be considered where the parent is reapplying of their own accord.

## 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?

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Certain LAs have a policy whereby all LAC admissions go through their Virtual School rather than normal admission routes. Staff here have found this to be a lengthier process in some cases.

## **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.

Simple to complete.

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@osa.gsi.gov.uk](mailto:OSA.Team@osa.gsi.gov.uk) by 30 June 2018