



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Newcastle Local Authority

30 JUNE 2016

Report Cleared by (Name): Deb Tyler

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Date submitted: 30/06/2016

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

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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. There are other matters concerning admissions, some suggested by local authorities themselves, about which it would be useful to have a view. 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. Please note that we will contact you if any data boxes have not been completed. However if there are any blank comment boxes we will presume that you have no comments to make.

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. For schools that have children of primary and secondary age and are not designated as a middle school please record them as all-through schools.

Where a type of school is given, foundation covers foundation schools and foundation schools with a foundation (trust schools). Academy schools should be recorded by the individual type of academy school, namely, academy, free school, UTC or studio school.

1. Local Authority school numbers

Please give the total number of schools by type within your local authority as at 30 June 2016.

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community	4	1	
Voluntary Controlled	0	0	
Voluntary Aided	22	0	
Foundation	41	5	
Academy	4	7	1
Free School	1	1	
UTC	N/A	0	
Studio School	N/A	1	

2. Admission Arrangements for Admissions in September 2016

The Code at paragraph 3.23 requires that each local authority provides “*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*”.

Please include details of:

1. Any ways in which each of the following groups of children have been especially well served; and
2. Any difficulties that have arisen for each group of children while allocating places for admission in September 2016.

(a) How well are the interests of **looked after children** served?

Tick as appropriate: Fully In part Not satisfactory

Comments: All schools and academies full complied with the statutory requirements of the School Admissions Code 2014.

(b) How well are the interests of **previously looked after children** served?

Tick as appropriate: Fully In part Not satisfactory

Comments: All schools and academies fully complied with the statutory requirements of the School Admissions Code 2014 including the clarified definition of "adopted from care"

(c) How well are the interests of **children with disabilities** served?

Tick as appropriate: Fully In part Not satisfactory

Comments: All schools and academies fully complied with the statutory requirements of the School Admissions Code 2014.

(d) How well served are **children who have special educational needs and who have a statement of special needs** that names a school (or an education health and care plan)?

Tick as appropriate: Fully In part Not satisfactory

Comments: All schools and academies fully complied with the statutory

requirements of the School Admissions Code 2014. All students with a statement of EHC Plan naming the school have been admitted to the named school.

- (e) How well served are those **children who have special needs, but do not have a statement?**

Tick as appropriate: Fully In part Not satisfactorily

Comments: All schools and academies fully complied with the statutory requirements of the School Admissions Code 2014

3. Co-ordination of admissions

A) During the normal admissions round

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2016 in your local authority, highlighting any particular strengths in the process or any problems that have arisen.

Primary

- (a) How well has the operation of national offer day worked for primary admissions this year compared with previous years?

Tick as appropriate: Better The same Less well

Comments: Having a national offer day is beneficial when parents are applying for schools in other authorities, as everyone finds out which school they have been offered on the same day. Unfortunately this year one of our neighbouring authorities sent out offer letters prior to the national date and included offers or lack of offers to parents in Newcastle. This caused problems and considerable angst for some of our parents and schools.

Secondary

- (b) How well has the operation of national offer day worked for secondary admissions this year compared with previous years?

Tick as appropriate: Better The same Less well

Comments: Having a national offer day is beneficial when parents are applying for schools in other authorities, as everyone finds out which school they have been offered on the same day.

- (c) If you have any UTCs or studio schools in your area, do you co-ordinate admissions for entry at the relevant year group for entry to these

schools?

Tick as appropriate: Yes No N/A

If **YES**, please comment on how well the admissions process is working for these schools: The part of the process that we manage goes well. However, given the types of provision and the ages of intake that are not in line with secondary transfer ages, the standard timing of the admissions national code does not seem to work for these schools. Their recruitment processes tend to continue right up to the start of term so it is unclear until then what their intakes are likely to be (and any impact on other schools).

If **NO**, do you have any evidence about how well the admission process is working for individual UTCs or studio schools?

Tick as appropriate: Yes No

If **YES**, please comment:

B) In-year admissions

The Code sets out that in-year admissions do not have to be co-ordinated by the local authority.

- (a) How many **pupils** have needed a school place because they do not have one or because parents have applied for a place as an in-year admission for any other reason between 1 September 2015 and 15 June 2016?

Number of pupils up to age 11	Number of pupils over age 11	Number of post-16 students
1658	453	

- (b) Does your local authority co-ordinate in-year admissions for all, some or none of the schools in your area?

Tick as appropriate: All Some None

If 'Some', please complete the table below as appropriate

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			

Free School			
UTC	N/A		
Studio School	N/A		

- (c) Do you have any information about how many schools parents might approach before obtaining a place? Please comment on any issues that have come to your attention.

Comments: There is an agreement in Newcastle that all applications come through our admissions team; these are then forwarded to those schools that allocate their own in year admissions. There are significant challenges around finding places in Reception and KS1 due to already large cohorts and the number of new arrivals in these year groups.

- (d) How confident are you that the requirements of the Code at paragraph 2.22, for schools to keep the local authority informed in a timely manner about applications and the outcomes, are being met? (If you co-ordinate all admissions for all schools then please tick not applicable.)

Tick as appropriate:

Very confident Confident Not confident Not applicable

- (e) Across your local authority, how well have in-year admissions worked this year?

Tick as appropriate: Better than last year The same as last year
Less well than last year

- (f) Please comment on the effectiveness overall of in-year admission arrangements across all types of schools in your local authority.

Comments: We have a consistent method of informing schools of applications and chasing schools for updates; this is working very well at the moment, however it can be difficult to get secondary schools to co-operate with the admissions team, and these schools are more likely to refuse to admit students.

4. Fair Access Protocol

The Code at paragraph 3.9 requires each local authority to have agreed a Fair Access Protocol 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 your Fair Access Protocol.

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

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

Comments: the Fair Access Protocol has been updated this year and all schools have agreed in principle to the draft protocol which is being piloted during the summer term. Following this, minor changes may be made for implementation in September 2016

- (d) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2015/16 in placing children without a school place in schools in a timely manner.

Tick as appropriate: Very well Mostly well Some difficulties

- (ii) What is your general assessment of the working of the protocol compared with last year?

Tick as appropriate: More effective As effective Less effective

- (iii) How frequently has the protocol been used to place a child compared with last year?

Tick as appropriate: More frequently Same frequency Less frequently

- (e) Have you any examples of particularly effective collaboration and working with individual schools, for example, placing children in year 6 of a primary school or years 10 and 11 of a secondary school?

Tick as appropriate: Yes No

Comments: We have 1 through academy who have been very helpful in placing Y6 students into their school before transition into Y7 in September. We have revised our fair access protocol to address issues regarding how it was operating.

- (f) Have you had specific problems in allocating a place through the protocol, for example, where a school has been reluctant to accept a child?

Tick as appropriate: Yes No

Comments: There is significant reluctance on behalf of some schools to accept children, particularly secondary academies. Prior to the new fair access protocol one academy flatly refused to admit a student.

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

Type of School	Number of children admitted			Number of children refused admission		
	Schools for pupils up to age 11	Schools for pupils over age 11	All-through schools	Schools for pupils up to age 11	Schools for pupils over age 11	All-through schools
Community						
Voluntary Controlled						
Voluntary Aided		5				
Foundation		20				
Academy	1	5				
Free School						
UTC	N/A			N/A		
Studio School	N/A	1		N/A		

- (h) 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

- (i) 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 EFA on behalf of the Secretary of State or after a referral to the Adjudicator?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

- (j) Please add any other relevant information you wish to include in sections g - i concerning Fair Access Protocols.

Comments: In relation to point f, when the academy refused to admit the student this was referred to the EFA, as required. However, due to the way that the academy treated the process and the prospective pupil, the parents ended up withdrawing their application to this academy and requested an alternative school.

5. Admission Appeals

The Code requires data to be collected about appeals. In order to meet this requirement the DfE will use the latest published Statistical First Release: admission appeals for maintained and academy primary and secondary schools in England.

Taking into account comments reported in 2014, and data gathered for the first time in 2015, in response to the invitation to “*add any comments about the appeals process in your area*”, it would be helpful to gather views once again across all local authorities on the extent to which schools that are their own admission authority continue to use local authority services for admission appeals.

- (a) Do any own admission authority schools use any of your services as part of the appeals process?

Tick as appropriate: Yes No

- (b) If yes, please indicate the number of schools that use at least some of your services

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Voluntary Aided	21	1	
Foundation	41	3	

Academy	1		1
Free School	0		
UTC	N/A		
Studio School	N/A		

(c) Please indicate the services that are used :

Type of School	Schools for pupils up to age 11(Y/N)	Schools for pupils over age 11 (Y/N)	All- through schools (Y/N)
Full appeals process	62	7	
Legal advice	41	7	
Assistance in the preparation and presentation of case documentation	41	5	

(d) Please add any other service related to appeals obtained from your local authority

Comment: The Local Authority are no longer presenting appeals on behalf of schools, although we still provide guidance to schools and assistance in preparing paperwork.

(e) Please add comments about any aspects of the appeals process in your area that work well or that cause difficulties, as appropriate.

Comment:

6. Other Issues

A. Objections to admission arrangements

Paragraph 3.2 in the Code 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*”.

(a) How many sets of admission arrangements of schools were queried directly by your local authority with schools that are their own admission authority because they were considered not to comply with the Code?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Voluntary Aided			

Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

(b) How confident are you that own admission authority admission arrangements are now fully compliant with the Code?

Tick as appropriate: Very confident Confident Not confident

(c) How many schools did not send you a copy of their full admission arrangements, including any supplementary information form (or any such form by another name, for example, religious inquiry form) if one is used, by 15 March, as required by paragraph 1.47 of the Code?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Voluntary Aided	19	3	
Foundation	33	3	
Academy	4	1	1
Free School	1		
UTC	N/A		
Studio School	N/A		

B. Fraudulent applications

(a) Is there any concern in your local authority about fraudulent applications?

Tick as appropriate: Yes No

(b) Did your local authority make any offers on national offer days that were subsequently withdrawn as a result of a fraudulent application?

Tick as appropriate: Yes No

(c) If **YES**, how many for each type of school?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community	1		
Voluntary Controlled			
Voluntary Aided	1		
Foundation			
Academy			
Free School			

UTC	N/A		
Studio School	N/A		

(d) What action is your LA taking to prevent fraudulent applications?

Comment: We carry out random checks with housing benefit to identify if anyone has applied with a fraudulent address. Unfortunately one VA primary school made errors when ranking their applications and did not check some information provided for all applicants prior to places being offered which resulted in 4 offers having to be withdrawn.

C. Summer-born children, deferred entry and part-time attendance

The DfE issued revised guidance in December 2014 “Advice on the admission on summer-born children” for local authorities, school admission authorities and parents ([Link to Guidance](#)). The Code at paragraph 2.16 deals with deferred entry and/or part-time attendance for children in the year they reach compulsory school age. Paragraph 2.17, 2.17A and 2.17B refer to the admission of children outside their normal age group.

(a) Do you keep data for any schools on the number of requests from parents who ask that their child is admitted to a class outside their normal age group?

Tick as appropriate: Yes No

(i) For community and voluntary controlled schools: Yes No

(ii) For own admission authority schools: Yes No

If **YES in answer to (a) above**, please complete the tables:

Type of School	In 2015, how many requests for deferred admission to year R in 2016 were agreed for a child who will have reached the normal age for Year 1?
Community & Voluntary Controlled	11
Own Admission Authority	2

Type of School	How many requests to defer admission to year R in 2016 were received?	How many of those requests were subsequently agreed?
Community & Voluntary	5	4

Controlled		
Own Admission Authority	2	2

(b) What reasons, if known, were given for seeking to defer the admission to year R of children for a full school year?

Comments: A mixture of concerns about development and worry that they are simply too young and think starting a year later will give time to make more progress

(c) Do you have any other comments on the matter of admission of summer-born children, including requests to delay admissions made after the allocation of places in the normal admissions round?

Comments:

(d) Do you have any comments about paragraph 2.16c) in the Code concerning the offer and/or take-up of part-time attendance by children below compulsory school age?

Comments: We are not aware of any students opting to attend school on a part time basis.

D. Pupil, service and early years premium

The 2014 Code permits all schools to give priority for admission in 2016 to children eligible for the pupil, service or early years premium (paragraphs 1.39A and 1.39B). If admission authorities wish to introduce such a priority they must have consulted as required by the Code in paragraphs 1.42-1.45.

(a) Pupil and service premium

In respect of community and voluntary controlled schools:

Type of School	Has the LA considered giving priority to pupil/service premium? (Y/N)	If YES, have you consulted on this? (Y/N)	In response to consultation has the priority been implemented? (Y/N)
Community Primary	N		
Voluntary Controlled Primary			
Community Secondary	N		
Voluntary Controlled			

Secondary			
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Comments: So far no school has introduced this into their oversubscription criteria

In respect of own admission authority schools:

Type of School	Has the LA been consulted by any own admission authority of the type shown below on giving priority to pupil/service premium? (Y/N)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	
Foundation Primary	N	
Academy Primary	N	
Free School Primary	N	
Voluntary Aided Secondary	N	
Foundation Secondary	N	
Academy Secondary	N	
Free School Secondary		
UTC		
Studio School	N	

Comments: So far no school has introduced this into their oversubscription criteria

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

Type of School	Has the LA considered giving priority to early years pupil premium? (Y/N)	If YES, have you consulted on this? (Y/N)	In response to consultation has the priority been implemented? (Y/N)
Community Primary	N		
Voluntary Controlled Primary			

Comments: So far no school has introduced this into their oversubscription criteria

In respect of own admission authority schools:

Type of School	Has the LA been consulted by any own admission authority of the type shown below on giving priority to early years pupil premium? (Y/N)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	
Foundation Primary	N	
Academy Primary	N	
Free School Primary	N	

Comments: So far no school has introduced this into their oversubscription criteria

E. Local Authority Issues

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

Comments: There are significant numbers of in-year admissions every year, the majority of which are pupils who are new to Newcastle and a high proportion in Reception and Key Stage 1. Given the pressures on school places within this year group, finding places particularly for sibling groups is increasingly challenging.

Some of the inward migration is as a result of large housing developments in an already popular part of the city where there are very rarely places available in any year groups.

Given the pressures on the admissions team regarding growing pupil numbers in entry and transfer cohorts as well as in-year admissions, and the constraints of the school funding formula which will not permit increases in central budgets, it is difficult to adequately resource these pressures. We are also concerned about the implications of the national funding formula and whether these functions will be sufficiently resourced in future.

Thank you for completing this report

Please email your completed report to: osa.team@osa.gsi.gov.uk