



Office of
the Schools
Adjudicator

Local Authority Report

to

The Schools Adjudicator

from

Staffordshire Local Authority

to be provided by

30 June 2020

Report Cleared by: Name Andrew Marsden

Title County Commissioner: Access to Learning

Telephone number 01785 278787

Email: andrew.marsden@staffordshire.gov.uk

Date submitted: 29 May 2020

By: Samantha Nicol

Title: Principal School Admissions Officer

Telephone number:01785 278676

Email: samantha.nicol@staffordshire.gov.uk

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

**Please email your completed report to: osa.team@schoolsadjudicator.gov.uk
by 30 June 2020 and earlier if possible**

Contents

Section 1 - Normal point of admission	4
A. Co-ordination.....	4
B. Looked after and previously looked after children	4
C. Special educational needs and disabilities.....	6
Section 2 - In-year admissions.....	6
A. Co-ordination of in-year admissions.....	7
B. Looked after children and previously looked after children	7
C. Children with special educational needs and/or disabilities	9
D. Fair access protocol.....	9
E. General comments on in-year admissions.....	8
Section 3 - Other matters.....	10
Section 4 - Feedback.....	11

Introduction and guidance on completing the report – Revised April 2020

1. 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 matters. This is a revised template issued in the light of the Covid-19 pandemic.
2. This template requests local authorities only for:
 - a) 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;
 - b) an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children were admitted to each school under them.
3. We would be grateful if local authorities would follow the approach used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002².
4. Local authorities are, of course, free to comment on any other matters not specifically addressed in this template if they wish to do so under section 3. The views expressed by local authorities in previous years also remain a matter of public record.
5. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2020**.

¹ [Department for Education Statistical First Release](#)

² [The Education Middle School \(England\) Regulations 2002](#)

Information requested

Section 1 - Normal point of admission

A. Co-ordination

i. 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
Reception				X
Year 7				X
Other relevant years of entry				X
ii. Please give examples to illustrate your answer if you wish: <p>The coordinated admissions process in Staffordshire runs very smoothly and has done for a number of years.</p> <p>Well established working relationships with our neighbouring LAs and with other admitting authorities operating within our area aid the smooth operation of this process. Systems have been developed to ensure that the vast majority of the process is automated to ensure that the burden on schools who operate as their own admission authority, is as minimal as possible given their responsibilities in regard to this area.</p>				

B. Looked after and previously looked after children

- i. How well does the admissions system 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 applicable³

- ii. How well do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission**?

Not at all Not well Well Very well Not applicable³

³ 'Not applicable' will only be appropriate if there are no children falling within this definition.

iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area **at normal points of admission**?

Not at all Not well Well Very well Not applicable³

iv. How well does the admissions system 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 applicable³

v. Priority in admission arrangements for 2021 for adopted children previously in care abroad. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish.

Staffordshire adopted the recommendation in relation to this group of children last year and the vast majority of “own admitting authorities” have done the same.

vi. If you wish to please give any examples of good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at the **normal points of admission**:

Systems are in place to ensure that children in this category are tracked and their applications validated and cross referenced with our virtual school to ensure that in the main, good and outstanding schools are chosen on behalf of children who are currently looked after.

C. Special educational needs and disabilities

- i. Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at the normal points of admission:

There is some anecdotal evidence that children who have special educational needs but no EHCP have been “dissuaded” by a very small minority of schools from either a) applying for the school or b) accepting the place offered at the school once allocated.

Section 2 - In-year⁴ admissions

⁴ 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 after the end of the statutory waiting list period (ie 31 December) in normal years of admission.

A. Co-ordination of in-year admissions

Please provide any comments on the co-ordination of **in year admissions** if you wish.

The advantages of not coordinating the in-year process are that the majority of children are admitted to schools without delay and with minimal bureaucracy. Schools are able to respond swiftly to individual enquiries signposting where necessary to the School Admissions Service where children are not offered places to ensure that these cases are followed up swiftly to reduce time out of education.

Of approximately 4000 in year admissions made to Staffordshire schools each year the vast majority of children are admitted without issue and without delay. The problems arise where the child is considered “hard to place” and despite there being a requirement for establishments to act without delay there can be a period of protracted negotiation between the LA and schools until the issue is resolved. There is an expectation that LA will only revert to “requests for formal direction” as a last resort and again the process leading up to this formal approach can mean significant time out of school for the most vulnerable of children.

It is very much felt that a fully coordinated in-year admissions process would not help speed up the process of admitting these vulnerable children without accompanying legislation around individual school responsibilities in relation to in-year school admissions and the most vulnerable.

B. Looked after children and previously looked after children

- i. How well does the **in-year admissions** system serve children who are looked after by your local authority and who are being educated in your area?

Not at all Not well Well Very well Not applicable⁵

- ii. How well do the **in-year admission** systems in other local authority areas serve the interests of your looked after children?

⁵ ‘Not applicable’ will only be appropriate if there are no children falling within this definition.

Not at all Not well Well Very well Not applicable⁶

iii. How well does your **in-year admissions** system serve the interests of children who are looked after by other local authorities but educated in your area?

Not at all Not well Well Very well Not applicable⁶

iv. How well does your **in-year admissions** system serve the interests of previously looked after children?

Not at all Not well Well Very well Not applicable⁶

v. If you wish please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for looked after and previously looked after children:

Whilst our Virtual Headteacher acknowledges that improved information sharing between social care, schools and Virtual School has led to more informed decision making in relation this most vulnerable group, there are still schools within the authority that continue to delay in-year admissions for children in care. For these Looked After children that this affects the impact is extremely damaging.

It remains a particular challenge to secure admission for Y11 and increasingly Y10 Looked After Children. In addition for children who have complex needs but no EHCP due to multiple school and care placement breakdowns the different approaches between authorities requiring mainstream school to accept a pupil on roll can cause delay as schools will refuse admission on the basis that they are unable to meet need. Again this year Staffordshire has had to resort to direction for children that had been refused admission by multiple school in the locality.

Variation between local authority systems can be a challenge for social workers to navigate when they do not know the area and there can be particular difficulty in securing provision in good and outstanding schools.

The Headteacher of the Virtual School commented that it would be useful to have a nationally agreed approach, preferably local authority central oversight of in-year admissions to enable robust tracking of timescales for admission and also enable central systems to be quickly updated with details of children in care from other authorities admitted on roll.

Whilst we can successfully challenge most schools this delays admission and increases time out of education for children that can have already had significant gaps in education.

⁶ 'Not applicable' will only be appropriate if there are no children falling within this definition.

The National Association of Virtual Head Teachers are continuing to advocate for strengthening of admission arrangements in relation to looked after children. This needs to be considered alongside cross border funding arrangements for children in care that may need alternative provision as part of their offer which can cause additional barriers and delay to admission.

C. Children with special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who have an education health and care plan that names a school when they need to be **admitted in-year**?

Not at all Not well Well Very well Not applicable⁶

- ii. How well served are children with special educational needs and/or disabilities who do not have an education health and care plan when they need to be **admitted in-year**?

Not at all Not well Well Very well Don't know

- iii. Please give examples of good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for children with special educational needs and/or disabilities:

There have been no issues reported by the SEN Team in this regard.

- iv. If you wish please provide any comments about **in-year admissions** in respect of other children:

D. Fair access protocol

- i. Has your fair access protocol been agreed⁷ with the majority of state-funded mainstream schools in your area?

Yes for primary
 Yes for secondary

⁷ An existing protocol remains binding on all schools up until the point at which a new one is adopted.

ii. If you have not been able to tick both boxes above, please explain why:

iii. How many children were admitted to schools in your area under the fair access protocol between 1 April 2019 and 31 March 2020?

Type of school	Number of children admitted	
	Primary aged children	Secondary aged children
Community and voluntary controlled	3	2
Foundation, voluntary aided and academies	3	4
Total	6	6

iv. 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 applicable⁸

v. Please make any relevant comment on the protocol not covered above if you wish.

The majority of in-year admissions are managed through the normal in-year admissions process without reference to the fair access protocol. For the few where school place offers are not forthcoming the fair access protocol ensures that delay is minimised.

E. Any other comments on the admission of children **in-year** not previously raised if you wish.

Section 3 - 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 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

Section 4 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2021.

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@schoolsadjudicator.gov.uk by 30 June 2020