



Office of
the Schools
Adjudicator

**Local Authority Report
To
The Schools Adjudicator
From**

Southend-on-Sea Local Authority

30 June 2018

Report Cleared by (Name & Title): Brin Martin. Director for Learning

Date submitted: 30th 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.

28/02/2018

- 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.

15th March 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

	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	0	0	0

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.

queried directly by your local authority because they were considered not to comply with the Code?			
<p>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.</p> <p><i>No concerns raised with the LA.</i></p>			
<p>vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.</p>			

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	
<p>v. Please give examples to illustrate your answer:</p> <p>Coordination of more own admission authorities has increased workload, many new admission authorities are not trained in ranking applications and misunderstood the process. LA checking of ranked lists has increased greatly.</p>				

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:

Working closely with the Virtual School during the admission round has worked well. Children new to the care system have been picked up much quicker in the admission process.

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.

Regular meetings with the SEND Team internally have helped identifying children to be supported and places to be held during the round. EHCP plans naming provision are prioritised, where possible in advance of National Offer Days

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.

	Primary aged children	Secondary aged children
LA NOTE: Data provided for schools using LA service and community schools. Own authorities do not report annual data to the LA		
Number of in year admissions between 1/9/17 and 31/3/18	649 (expected by Aug to be 820-830)	Not known
Number of in year admissions		Not Known

between 1/9/16 and 31/8/17	809	
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?	In the primary sector it has been mainly pupils moving in and out of the area. There is also a high level of waiting list movement. This is particularly evident in the reception year group and in the upper primary years.	Southend has high mobility with children moving in and out of the area. In 2017 there were some additional factors, for example, children moving from out of borough schools to Southend Schools. This seems to be linked to behaviour and parents reporting being encouraged to seek a fresh start in the borough. There has also been an increase in secondary in-year applications from children who have been electively home educated for short periods of time as a means to avoid a permanent exclusion.

- 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.

Unfortunately in 2017 the problem identified above continued.

In the determination cycle for 2019 Southend agreed with all schools that a PAN for all year groups must be determined in the Determined Admission Arrangements. As this is not supported by the Code there were challenges from Schools, however all schools agreed and determined a PAN for all year groups in their arrangements. We hope this will support families in the 2019 in-year admissions process. We will continue to challenge schools in 2018/19 should it be required.

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

ii. For what proportion of own admission authority schools does the local authority co-ordinate in year admissions?

d) What do you consider to be the advantages and disadvantages of delegating responsibility for in year admissions (where applicable)?

Southend does not delegate responsibility. There are ten schools out of 46 that remain community schools. An additional 12 own admission primary, infant, junior schools use the LA service. Out of the 46 schools 24 of the own admission authorities run their own in-year process. There are no community secondary schools in the borough.

Schools do not seek to run their own admissions and fourteen own admission authority schools do not wish to run their own admissions. The biggest advantage we see is in supporting families with one system, one application and one service process in seeking a place in year.

Parents frequently complain about the in-year process, service and school response. Some own admission authorities appear to delay in-year admission including unplaced children. Schools have specifically complained that some schools are advising parents, particularly where behaviour is a concern, to apply for other local schools to avoid a permanent exclusion. The concern is that, particularly at secondary school level, children are unplaced for longer periods than when the service was coordinated by the LA.

The LA is reliant on schools honesty in reporting unplaced children to the LA where the school has not admitted the child, and where parents have not applied through the LA. It has become apparent that this is not always happening, which has increased a child's time missing from education.

- 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)?

It is supportive to the parent. The parent has only one place to apply, seek information on vacancies, and to deal with. The LA is more concerned with the School Admission Codes and the School Admissions Appeals Code. Offers are made in strictest application of the Codes in a consistent approach. All applications receive an outcome in 10 days thus reducing the time that children are unplaced from education and allowing all preferences to be considered and responded to within the same time period..

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:

Slow responses from schools for children placed outside the borough. Own admission authorities outside the borough refusing children and referring them to Fair Access.

Out of area LAC/PLAC seeking places at the same schools, a challenge particularly at the secondary level. Challenges in Southend as out of 12 secondary schools, 4 are selective only, 2 are faith, 3 are in Ofsted categories below Good that leaves three schools that are good. All three schools report demand from out of area LAC for admission in-year.

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:

EHCP process seems to be very supportive for the admission process of children on plans. There are some reports from parents that they are discouraged by some schools on school visits. Schools saying they cannot meet the needs of the child. This results in some schools reporting that they have high levels of children with EHCPs which is, in their view, places undue pressure on the school.

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:

Fair access has operated well in 2017 and we would say that the needs of unplaced pupils being refused by an admission authority are well served. Referrals that are not appropriate, i.e. as agreed in the local agreement, the referral is returned to the schools to follow usual in-year admission processes.

There is however an increase in schools that have places, refusing placed children who are seeking an alternative school either placed within the area or from neighbouring borough schools. These are not eligible for Southend's fair access protocol due to the nature of them currently being placed. Schools are repeatedly refusing under prejudice to the provision of efficient education or efficient use of resources where there is any mention of previous behaviour or attendance challenges. We are concerned that some admission authorities may be 'cherry picking' their applications which is neither in keeping with the code or providing a fresh start to children.

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	3	31	0	1

authority schools				
Total	3	31	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.

All children have secured school places. The one secondary school that refused admitted after the LA pursued direction through the SoS. This did however create an unacceptable delay to their education of 4 months due to the length of time in reaching a decision (FAP decision April 17, child accessed education September 17).

Although all children have an identified placement from attending FAP, a small minority of cases choose to electively home educate and continue to pursue alternative provision due to parents not being in agreement to the decision of FAP.

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 engagement and collaboration of schools in making timely referrals, agreeing placements and children starting school has increased significantly over the last few years. With the exception of one case who was later reported as CME all children were placed and on roll at the identified school (or registered as EHE) within 20 days of the FAP decision.

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.

Schools admit the LAC child on receipt of the initial letter seeking their view of admitting/refusing the child

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
F. Please add any comments on the authority's experiences of requesting directions. The process takes too long for an unplaced child (see previous comments). It is unacceptable that a child is kept out of school due to a school refusing admission through FAP.			

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	Primary including middle	Secondary including middle deemed secondary	All through
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authority area will use a premium as an oversubscription criterion for admissions in 2019?	deemed primary		
Pupil premium	1	0	0
Service premium	0	0	0
Early years pupil premium	0	N/A	
Total number of schools using at least one premium in their oversubscription criteria	1	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	1
	Pupil	1	
	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? None			

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?

171

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

There has been a significant increase in children being electively home educated particularly those in years 9 & 11. Linked to this, has been an increase in children referred to FAP who have been EHE ranging from 2 weeks to 18 months and wishing to apply to an alternative school, many of whom report the school suggested it was in the child's best interest to be home educated to avoid a future permanent exclusion. 78% of fair access referrals for unplaced children were those returning from a period of EHE.

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?

In the secondary sector, some schools have become far less inclusive due to being driven by progress results rather the individual needs of the child. This has impacted upon increases in exclusions and children being removed from roll for EHE and reluctance to admit fairly and in a timely manner where there is any evidence of any historical factor attributing to attendance or behaviour.

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 form is simpler to complete.

Thank you for completing this template.

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