



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Blackburn with Darwen Borough Council

30 June 2018

Report Cleared by: Jessica Byrne (Head of Education)

Date submitted: 28/06/2018

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

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.

23/02/2018

- 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.

28/02/2018

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

Not applicable None Minority Majority All

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.

	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	0	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.			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.			

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: All published national offer dates were met.				

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:

Looked after (and previously looked after) children have the highest priority under the admissions criteria for all community and voluntary controlled schools. Some faith schools give the highest priority to looked after (and previously looked after) children in care of their faith (as the Code permits). However, looked after (and previously looked after) children not of that faith are then given higher priority than any other children not of that faith, also in accordance with the code.

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.

In line with the Admissions Code, all children whose Education, Health and Care Plan (EHCP) names the school are admitted.

This LA also uses an approach known locally as IPRA's (Individual Pupil Resourcing Agreement) which was developed to enable the LA to target pupils and provide resources and support to the pupil much sooner than would be available via the formal assessment route. All community and voluntary controlled schools and some voluntary aided schools and academies will offer places to children with an IPRA at the normal point of entry.

Children with disabilities and special educational needs who do not have an EHCP naming a school may apply for priority under the 'medical, social and welfare needs' priority category in the Local Authority's admission arrangements for community and voluntary controlled schools. Many faith schools and academies also have a 'medical, social, welfare' need category which enables such children to be prioritised.

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	673	179
Number of in year admissions between 1/9/16 and 31/8/17	810	295
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?	Local transfer (often due to a change of address) Movement into the LA either from another LA or from abroad	Local transfer (often due to a change of address) Movement into the LA either from another LA or from abroad

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.

If an own admissions refuses to admit even if there are nominally spaces available based on the year 7 PAN, generally because of poor behaviour and/or attendance, the 'case' is referred to 'fair access' which will ensure that provision in mainstream (which may or may not be the preferred school) or in alternative provision is made available.

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)?

n/a

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)?

The LA needs to ensure, as far as it is able, and as part of its safeguarding responsibilities, that all children residing in the area are in receipt of a suitable and efficient education. The LA feels that this requirement is met by the coordination of the in year admissions process.

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:

We are presented with challenges in respect of school place allocations when a child moves to reside in a neighbouring LA . It is not unusual to wait up to a term for a place to be allocated

We have also experienced similar delays with children who have moved out of borough into other none neighbouring authorities, and recently had to place a Year 11 child with an EHCP and had to wait 6 months for a school place

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:

All schools will admit children with EHCPs if the child's needs can be met and it

is the parental preference.

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:

If schools refer children to the LA for action under the fair access protocol, the local fair access panels (comprising headteachers and an LA officer), will always ensure that appropriate provision is identified – which may be at the school in question.

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	107	n/a	0	n/a

Own admission authority schools	124	119	0	0
Total	231	119	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.

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.

All mainstream schools have agreed to the protocols. The LA continues, in conjunction with schools, to review and further refine the protocols. The protocols ensure that all children residing within the LA have access to appropriate educational provision.

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.

In cases of dispute, the LA will always consult further with the headteacher and the school's governing body with the intention of seeking agreement without the need for a formal direction.

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	1
<p>D. Please add any comments on the authority's experiences of making directions.</p> <p>Decisions to direct a school in another LA are not taken lightly. However, the school had been identified as the most appropriate provision for the young person. The school complied with the direction and the young person was admitted.</p>	

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	0	0
For secondary aged children (not looked after)	0	n/a	n/a
For secondary aged looked after children	0	0	0
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	n/a	n/a
Service premium	0	n/a	n/a
Early years pupil premium	0	n/a	n/a
Total number of schools using at least one premium in their oversubscription criteria	0	n/a	n/a

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 oversubscription criteria for 2019
Primary including middle deemed primary	Early years	0
	Pupil	0
	Service	0
Secondary including middle deemed secondary	Pupil	0
	Service	0
All through	Early years	0
	Pupil	0
	Service	0

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

Application of early years' pupil premium priority for those attending a nursery at the school could unfairly disadvantage those who did not choose to use the nursery at the school;
Some very disadvantaged families do not apply for free school meals and so would be further disadvantaged;

Could displace children living locally to a school.

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?

153

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

No specific issues have been encountered in relation to school admissions where home educating parents have wished to secure their children's return to formal schooling. A Studio School located within the Authority has been particularly welcoming in terms of the integration of previously home educated pupils from Year 9 and above.

A small number of parents opt to home educate as a short term intervention when a place at their school of preference has not been granted, but such cases are normally resolved via ongoing dialogue with parents around suitable alternative placements.

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.

Refinements to the template in recent years have meant that the Report is less onerous to complete. The LA would, however, suggest, that using data from 'academic years' rather than 'financial years' would further ease completion of the

report.

Thank you for completing this template.

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