



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Medway Local Authority

30 June 2018

**Report Cleared by (Name & Title): Ian Sutherland
Director of Children and Adults**

Date submitted: Friday 29 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.

19/12/2017

- 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.

31/01/2018

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

Not applicable None Minority Majority All

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?	None	None	None
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. N/A			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above. Medway Council responded to some own admissions authority schools/academies during their consultation periods concerning their proposed arrangements, but this was mainly relating to clarity and transparency of arrangements. No response was concerning potential non-compliance with the School Admissions Code 2014.			

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				N/A

v. Please give examples to illustrate your answer:

For Reception and Year 7 admissions, all on time applications were received, processed and school place secured and offered on the relevant national offer day.

All schools undertook the prioritisation of application correctly and this was double checked by Medway Council School Services Team. Medway Council is confident that all school places were offered correctly.

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:

Medway Council has no evidence of any issues or concerns that have arisen during the 2018 co-ordinated admissions processes in relation to the admission of looked after or previously looked after children.

All Medway schools and academies comply with the School Admissions Code in that they have looked after and previously looked after children as their highest oversubscription criterion.

Medway Council continues to champion the rights of LAC and previous LAC to attend their preferred school, even if that school is full to its published admission number. The Council discuss these cases with the relevant school and makes every effort to secure admission above PAN, where appropriate, in accordance with the provisions of the School Admissions Code.

The School Services Team work closely with the Virtual School to ensure that the educational well being of looked after and previously looked after children is addressed in the admissions processes and the offer of school places.

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.

There is comprehensive information for parents and careful forward planning for children and young people with EHCPs who are transitioning from Nursery to Year R, Key Stage 2 to 3, Key Stage 4 to Post 16. Parents and young people are fully involved and statutory deadlines for the issue of Final/Amended Final Plans are met in 96.1% of cases (2018 transfer data).

The LA process for continuation to Post 19 education is now working far more smoothly since links with social cares teams have become more concrete. There are still issues with receiving information from health relating to services that will be involved at Post 19, but this is being developed through the DCO and Medway health commissioners.

For children and young people without ECHPS, schools are encouraged to link with the receiving educational provider. If the original school or nursery has been in receipt of additional funding either through top up funding or SEN Support funding from the LA, to support the needs of a child at School SEN Support level, the school is able to pass the information to the receiving school who is able to apply for similar funding as required to ensure that support is in place before the child/young person starts.

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	1, 067	451
Number of in year admissions between 1/9/16 and 31/8/17	1,948	770
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?	Families moving into the area and/or families unhappy with their child's current school (for a variety of reasons)	Families moving into the area and/or families unhappy with their child's current school (for a variety of reasons)

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.

Whilst there have been some isolated cases of this practice, Medway Council have always been able to discuss these cases with the school concerned and secured a place where applicable. Medway Council take the view that, whilst the PAN is set for point of entry admissions, it is logical for families to expect that the same PAN follows the relevant year group though the school years. It would be unreasonable for a school to reduce the number of pupils it can admit into a cohort at a later year group just to suit its class organisations, etc.

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)?

Medway Council delegated the administration of in-year admissions to all community and voluntary controlled schools on 16 April 2018. This was to ensure that families had a single process to follow for all Medway school (as all own admission authority schools have administered their in-year admissions since 1 January 2018).

There are many advantages for families in having a single process for all schools, but there are also disadvantages for them in that they no longer have a single point of contact regarding their applications and they may have to make multiple applications before securing a place, causing delays in securing education for their children.

To mitigate this, Medway Council writes to all families who are refused a place (based on the information received from every school) to reiterate their right of appeal, to seek information the education provision a family has for their child and to offer assistance in securing a place if families are experiencing difficulties.

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 administration of in-year admissions for all own admission authority schools now lie with each school. This came into effect from 1 January 2018.

Medway Council had investigated other options (e.g. a traded co-ordinated service) but this was not desired by own admission authority schools.

The advantages and disadvantages of no co-ordination mirror those referred to in the answer to the above question regarding community and voluntary controlled schools.

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:

Medway Council has no evidence of any issues or concerns that have arisen during the in-year admission processes this year in relation to the admission of looked after or previously looked after children.

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:

The process for in-year entry to specialist provision for children and young people with EHCPs is not so smooth as the Key Stage transfer/entry. This is mainly due to lack of vacancies. However, educational provisions are always sent information about the child/young person for whom placement is sought through the formal consultation process. Transfer from one mainstream

provision to another is usually good for Medway children and young people with Medway EHCPs as schools will have full information through the paperwork sent. However, the quality of the information sent to mainstream schools or specialist provisions for children and young people with EHCPs who have moved into area varies considerably and is dependent on the quality of the EHCP and supporting advice gained during assessment by the original LA.

Medway Council works with specialist provisions to commission additional places for children with EHCPs who require it through the annual High Needs return or, in year, directly with schools to see if additional places can be commissioned.

We are unable to comment on the in year entry for children and young people without ECHPS, as they fall under the mainstream admissions processes and their needs may not be known at the time of application/offer.

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:

Medway Council has experienced some cases of a school attempting to refer children to the Fair Access Panel, but these have been effectively challenged and resolved.

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:

In relation to primary aged children, the agreement across Medway is currently that a formal fair access arrangement has not been required and there is no formal protocol.

Medway Council are currently working on the implementation of a formal Fair Access Protocol for primary to ensure consistency in approach across all ages. It is anticipated that this will be in place by January 2019.

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	N/A	N/A	N/A	N/A
Own admission authority schools	N/A	78	N/A	0
Total	N/A	78	N/A	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.

No comments

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 current secondary Fair Access Protocol work well, with all schools engaged in decision making on appropriate placements

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	None	None	None	None

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

No comments

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

None

None

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

No comments

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)

None

None

None

For primary aged looked after children

None

None

None

For secondary aged children (not looked after)

None

None

None

For secondary aged looked after children

None

None

None

F. Please add any comments on the authority's experiences of requesting directions.

No comments

G. Any other comments on the admission of children in year.

No comments

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	25	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	25	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	1
	Pupil	0	
	Service	1	
Secondary including middle deemed secondary	Pupil	1	1
	Service	0	
All through	Early years	0	0
	Pupil	0	
	Service	0	

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

Medway Council have introduced 'children of crown servants' as an oversubscription criterion for all community and voluntary controlled schools (as at the date of determination) for 2019 admissions and one own admission primary

school also adopted this.

One Medway secondary school continues to utilise 'free school meals eligibility' as an oversubscription criterion.

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?

422

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

Medway Council are finding that there are many families who are choosing to home educate and are stating their reasons as that they are unable to secure a place at the school of their choice or at a school that they believe to be nearest to home.

It has also become apparent that some families are home educating whilst they wait for a place to become vacant in their preferred school.

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?

No comments

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.

It is felt that the format and additional information ask for in this year's LA report compared to previous years is more comprehensive and provides for a greater depth of understanding of the admissions processes and associated matters (e.g. educated at home)

Thank you for completing this template.

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