



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Leicestershire (County Council) Local Authority

30 JUNE 2016

Report Cleared by (Name): Lesley Hagger

(Title): Director of Children and Family Services

Date submitted: 21/June/2016

By (Name): Gurjit Singh Bahra

(Title): Head of School Admissions and Pupil Services

Contact email address: Gurjit.Bahra@leics.gov.uk

Telephone number: 0116 305 6324

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

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

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	66	2	0
Voluntary Controlled	44	0	0
Voluntary Aided	20	0	0
Foundation	0	0	0
Academy	95	25	23
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	2	0

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: LAC have the highest priority when seeking a school place in Leicestershire. This has been managed carefully with those academies consulting to move away from the LA's admissions policy to ensure they understand their priority criteria MUST have LAC as the number one criterion.

In terms of mid-year admissions to Leicestershire schools in 2015/16, children in care are usually admitted into schools promptly. This year one young person (Year 7) has experienced a short delay in accessing a Leicestershire school place as the school said they didn't have enough information and the child should go on roll at the local behaviour partnership. The child did start at the school at the end of September but then went onto a part time timetable due to immediate difficulties. This more gradual integration was successful and he was attending the same school full time by January. The school maintained that if they had been in possession of all the information they needed from the previous school, they would have planned a gradual integration from the start.

Other issues encountered in terms of mid-year admissions were for two Leicestershire children in care placed in other LAs:

- One Year 11 pupil, having moved from Somerset to Northamptonshire was unable to access a school place due to complex needs, but nonetheless accessed appropriate alternative education provision in Northamptonshire.

- One Year 11 was given a 12 month Youth Referral Order with 6 months Local Authority Residence. There was a delay of 8 weeks in accessing a school place due to the complexity of the case and the school requesting certain information prior to accepting him on roll.

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

Tick as appropriate: Fully In part Not satisfactory

Comments: Leicestershire has ensured their admissions criteria for all future transfers (mid-terms included) clearly reflects that both looked after and previously looked after children must receive the highest priority. Improved co-ordination with the Fostering and Adoption Service ensures the majority are captured, and given the highest priority. The remaining are captured via Leicestershire's CAF, that has a section to capture LAC and previously Adopted children. Finally the Assistant Director has made it clear that any delays involving the placing on roll of a child in care or adopted is unacceptable.

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

Tick as appropriate: Fully In part Not satisfactory

Comments: In accordance with the SEN Code of practice, Leicestershire's local offer includes a graduated approach with children able to enter mainstream school with a SEND support plan and top-up funding. Statutory support is identified when multi agency assessment has resulted in an Education, Health and Care Plan (EHCP) being produced. Specialist or mainstream schools can be named in the plan.

For Early years entering school for the first time, the Specialist Teaching Services are only aware of two cases of children where the parents only named their first choice school on their application form and weren't allocated a place. Second applications have been made by both families and are being processed; they are waiting to hear the outcome. We are unaware this year of any families known to services where the parent has forgotten to apply for a school place. For secondary age children, we are unaware of any families where a child hasn't had their first choice place allocated. The Special Educational Needs Assessment Service deals with all admissions to special educational placements for those with a statement / EHC plan.

The majority of children known to STS services have been allocated a place at their first choice school.

(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: Children with Statements and Education Health and Care Plans have been admitted to schools where that school is named in all cases.

(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: Children who have a special need, but do not have a Statement of Education Health and Care Plan have had their needs met in school in almost all cases.

For 2015/16 academic year Leicestershire Special Educational Needs Assessment and Commissioning Service are aware of one family who feel their child's needs are not being met at SEN Support stage.

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: Leicestershire saw a 3% increase in first preferences for Primary allocations, we also had record breaking online first time applications at 96.2%. In addition a new strategy was adopted to deal with parent calls that worked better than expected, with calls answered faster and closed quicker.

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: Leicestershire saw a 1% increase in first preferences for Secondary allocations, we also had record breaking online secondary applications at 98.6%. In addition, a new strategy was adopted to deal with parent calls that worked better than expected, with calls answered faster and closed quicker.

(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: Leicestershire has three Studio Schools, two of three co-ordinated well as they have in the past. The third unfortunately announced closure earlier this year, the admissions service has worked with the MAT to ensure that students were adequately supported in their consideration of alternative options to complete their studies.

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
Unknown	Unknown	Unknown

(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	66	2	0
Voluntary Controlled	44	0	0
Voluntary Aided	0	0	0
Foundation	0	0	0

Academy	81	25	18
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

- (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 no methodical way of monitoring how many schools a parent has approached before securing a place. What we do know is that the majority of in-year applicants do secure the place they are seeking.

The greatest issue parents face in Leicestershire, is academies moving away from the LA's admissions policy and arrangements. Leicestershire's policy is very generous and allows for overfilling, in order to swiftly place children into the routine of school. Many academies however have eliminated these paragraphs and conditions resulting in them having greater control in limiting the numbers of children that they will take to admission number only. It has also resulted in parents having to understand tens of different policies compared to yesteryear when parents only had the LA's policy and faith policies to understand.

- (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: Leicestershire can only comment on those in-year admissions that we have processed, and in the majority the process has worked very well.

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	0	0	0
Voluntary Controlled	0	0	0
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

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

Comments: No school have challenged the placement of a child, and refused to accept students.

- (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: Placing a Year 10 student from out of area into a school in our area was very effective due to the willingness of the school to accept the student even though the student had behavioural issues. Demonstrating the willingness and speed that the Loughborough Behaviour Partnership of schools have, when placing students with high needs.

Loughborough Inclusion Partnership in particular has a very good working relationship with the School Admissions Service and places students with Fair Access issues quickly and effectively. It also operates in a very creative and innovative way in taking a prominent role in setting-up summer youth programmes for children with issues. This in turn allows them to track difficult students outside of term time and ensuring they return to school following the break.

- (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: Although a child was eventually allocated the school they wished for, both LA and Local Behaviour Partnership initially struggled to place a looked after child.

- (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	0	0	1	0	0	0
Voluntary Controlled	0	0	0	0	0	0
Voluntary Aided	0	0	0	0	0	0
Foundation	0	0	0	0	0	0
Academy	0	16	10	0	3	0
Free School	0	0	0	0	0	0
UTC	N/A	0	0	N/A	0	0
Studio School	N/A	1	0	N/A	0	0

- (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	0	0	0
Voluntary Controlled	0	0	0
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

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

Comments:

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 Foundation			
Academy	63	38	
Free School			
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	63	38	
Legal advice			
Assistance in the preparation and presentation of case documentation			

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

Comment: Leicestershire offers on a traded basis to academies 'sufficiency and suitability' surveys. This is because most academies have not up-dated their net capacity information, and appeal panels find this information invaluable.

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

Comment: On a positive note the majority of academies in Leicestershire purchase our appeals process, apart from VA faith schools. Leicestershire has also been approached by academies in other LA's to conduct their appeals. At this moment in time we have refused this business opportunity, but may look again at this in the future. We believe the interest and take-up of the appeals process is high because both local and external academy providers value Leicestershrie's professionalism, general approach, neutrality, and parents are satisfied that they have had a fair hearing.

Leicestershire also ensure all appeals are clerked by a qualified solicitor, that every panel member receives training once a year, and presenting officers not only visit schools, but have the Headteacher's sign off before the the final statement is submitted. Academies are also invited, should they wish, to observe appeals (stage 1 only) and this often reinforces their willingness to buy the process.

The only difficulties experienced by Leicestershire is the increase in the volume of appeals over last 3 year period. Unusually we were still hearing appeals for 'first time admissions (4+ entry)' in mid November 2015. In response this year we have bolstered our team of presenting officers and organised multiple-panel hearings to ensure appeals are heard before the start of 2016/17 autumn term.

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	0	1	0
Foundation	0	0	0
Academy	0	3	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

- (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			
Foundation			
Academy	84	18	

Free School			
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			
Voluntary Controlled	1		
Voluntary Aided			
Foundation			
Academy	4		
Free School			
UTC	N/A		
Studio School	N/A		

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

Comment: Leicestershire continues to work closely with schools and parents to tackle fraudulent applications. Although rare, where such incidents have been identified, Leicestershire will take all of the necessary steps to ensure that the correct information is used and the correct children are offered the school place. Of the five cases above, all places were withdrawn, as parents could not provide satisfactory proof of permanent home address.

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	0
Own Admission Authority	1

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 Controlled	4	2
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: In most instances it is parents presenting arguments of medical needs from premature births to development needs. In some instances it is purely because they feel their child is physically too small compared to the previous autumn born children and as their child is summer born they feel their child should start a year later.

(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: In general, with the National Admissions Codes remaining silent on how to process requests it is unfair on both parents and admitting authorities. For Leicestershire maintained schools a formal panel considers each request however Leicestershire cannot comment on how each individual

admitting authorities across Leicestershire considers such requests. Furthermore, different LAs operate different systems and the Summer born Guidance gives parents an element of false hope that it is an automatic right. Many parents and some academies also believe if the request is agreed that it means the place is guaranteed.

Finally, the summer born cohort in any given year is the largest in volume, and if delayed entry became a right, forecasting school places would become far more difficult. In which case it may be wiser just to raise the compulsory school age to start from 5+ for all children.

(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: Leicestershire's experience is that the majority of parents regardless of compulsory school age wish their child to start as soon as possible in the autumn term.

The risk of deferred start is the reserving of a school place, and in some instances either the child does not arrive or secures another school. Appeal panels have great difficulty knowing a place is effectively being reserved, and could be given to an appellant who wants a place now.

Finally, it should remain a parental request to the school and not a given right.

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	N	N
Voluntary Controlled Primary	N	N	N
Community Secondary	N	N	N
Voluntary Controlled	N	N	N

Secondary			
------------------	--	--	--

Comments: N/A

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	N	
UTC	N	
Studio School	N	

Comments: N/A

(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	N		

Comments: N/A

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: N/A

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:

Within the Leicestershire LA area there are in excess of 35 own admitting authorities that have moved away from the LA's admissions policy. Many parents are already struggling to understand the complexities of schools having different oversubscription criteria not only to others schools, but also compared to the LA.

With over 50% of Leicestershire schools now being academies, the workload in checking and monitoring their policies has become a real challenge. Many fail to up-date their websites in and some instances, just trying to locate their policy on their website is difficult. Some fail to ratify policies annually, and also struggle to understand the consultation process; this includes some appeal panel members too when having to explain the school has its own policy.

The government's white paper proposes to re-introduce 'in-year' co-ordination. Leicestershire has always co-ordinated in-year admissions and since its removal from the codes, it has been continued on a traded basis. We would therefore welcome clarification on what defines a requirement.

Although already mentioned, seeking delayed entry for those summer born children has rapidly become an area of additional work. We would welcome far greater direction through the national code in order for all admitting authorities to process delayed entry application more effectively and consistently.

Thank you for completing this report

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