



Office of  
the Schools  
Adjudicator

**Local Authority Report**

**To**

**The Schools Adjudicator**

**From**

**Waltham Forest Local Authority**

**30 June 2018**

**Report Cleared by (Name & Title): Brendan Wells , Head of Commisioning ,  
Education Capital & Planning**

**Date submitted: 30/06/2018**

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**[www.gov.uk/government/organisations/office-of-the-schools-adjudicator](http://www.gov.uk/government/organisations/office-of-the-schools-adjudicator)**

Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto: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 admissions<sup>1</sup>. 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.

21/02/2018

- 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.

15/03/2018

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<sup>1</sup> 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.

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 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.  N/A			

## 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:

N/A

### 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:

#### Good practice

The admissions code is routinely applied to the admission of children in care and previously Looked After children across the country. In exceptional cases where a child in care is not allocated their chosen school, this is usually as a result of an error and is quickly rectified upon liaison with the placing authority.

#### Poor practice

More consistent use of evidence to support previously Looked After Children's applications is needed; some admissions authorities need to be clear as to which documents are admissible as evidence of previously Looked After status, and develop and apply clear policies for those adopted from overseas.

More clarity is needed by some admission authorities as to how the direction process applies to academies' refusal to admit previously Looked After Children, and how this should be used in place of the appeal 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.

Careful consultation with the school over the needs as laid out in the plan, good and consistent communication between school case officer and parent/carer with case officer taking the lead as Lead Professional. Case officer taking responsibility for identifying the school that can provide for the needs of the EHC plan, informed by the views of parents/carers and school. Brave decision making in the best interests of the child, which are often not necessarily the best interests of parents/carers or school.

## 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	1530	513
Number of in year admissions between 1/9/16 and 31/8/17	2158	712
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 in from other areas and from abroad	Families moving in from other areas and 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.

N/A

## 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)? The LA coordinates all community and voluntary controlled school in year admissions.

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)?

### Disadvantages:

- Need for additional resources in admissions team to process any more schools.

### Advantages:

- LA would have better control of overall admissions process throughout the borough.
- From safeguarding point of view, it will make more sense to ensure that LA handles all in, year admissions as any new applicants moving in borough who directly apply to OAA schools who do their own admissions, might not formally inform LA about these cases and result could be having children in borough out of education who LA not aware off-something that could be avoided if LA did all in-year admissions.
- London borough might have more mobile population moving in and out and from place planning point of view having total in-year admissions will be a great help to plan for places.
- LBWF will support making in-year admissions statutory function and making it part of LA's duty to process all in year applications.

### 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:

#### Good Practice

- Applications for children in care are processed quickly, and a good knowledge of the Admissions code is applied.
- Admission authorities are clearly aware of their duty to admit children in care even when full, and the chosen school is allocated.
- Where a school choice is not indicated, only schools rated by Ofsted as good or outstanding are allocated.
- Timely liaison with the Virtual Head of the placing and home authorities in order to ensure a good match for the child
- Evidence of child's legal status and evidence of PR requested and applied consistently
- Local Authorities co-ordinate in year admissions for children in care
- Previously Looked After children are given the same priority and excepted status for admissions as children in care, and are not placed on waiting lists

#### Poor practice

- Applications for children in care living in some authorities outside of Waltham Forest are not processed quickly and have to be chased by placing authority
- Some admission authorities' lack of knowledge of the Admissions code and how it applies to the in-year admissions of children in care
- Some admission authorities' refusal to follow the Admissions code when processing in year applications for children in care and not offering a place at a chosen school
- Some admission authorities refusing to admit children to mainstream school during Key stage four
- Some authorities offering making little support or advice available to placing authority as to which school may suit a particular child
- Some admission authorities routinely question placing authority's decision to place a child in their area and cite this as a reason not to abide by the admissions code
- Some admission authorities requesting meetings/interviews with the child, previous

academic and behaviour reports and other information not requested for non-LAC applicants before offering a school place, and refusing to offer a place until this has been submitted.

- Some admission authorities accepting and processing applications from foster carers without requesting evidence of legal status and/or communicating with social care or Virtual School
- Children in care and previously Looked After Children placed on waiting lists by some authorities
- Appeal process incorrectly applied to children in care by some authorities
- Placing authorities advised by some admission authorities to direct schools to admit children in care as a matter of course

#### **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:

Careful consultation with the school over the needs as laid out in the plan, good and consistent communication between school case officer and parent/carer with case officer taking the lead as Lead Professional. Case officer taking responsibility for identifying the school that can provide for the needs of the EHC plan, informed by the views of parents/carers and school. Brave decision making in the best interests of the child, which are often not necessarily the best interests of parents/carers or school.

Children without EHCP but with behaviour issues:

Schools are reluctant where children have behavioural issues and no EHCP and in some cases we might get response back from school under 3.12 of the Code.

#### **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:

It would be helpful for the next School Admissions Code to have revised 3.12 of the code. We feel it could be more specific and have criteria as at the moment it might be too vague and this allows the school to send us cases under 3.12. We would welcome more detailed 3.12 with added criteria to ensure that none of the schools abuses the privilege that 3.12 provides.

### 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	1	39	0	0
Own admission authority schools	2	20	1	0
<b>Total</b>	<b>3</b>	<b>59</b>	<b>1</b>	<b>0</b>

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.  
 Not applicable

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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

<p>F. Please explain your answer giving examples of good and poor practice, successes and difficulties as appropriate. All schools work collectively to support the Fair Access Protocol by referring to the Allocation table to ensure there is equity in the allocation of pupils that hard to place.</p>
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#### 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	n/a	n/a	n/a	n/a
B. Please add any comments on the authority's experiences of making directions.				

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
D. Please add any comments on the authority's experiences of making directions. The school in question referred the direction to the SA. The child in question then moved during this process and the SA closed the case as a result. The child was in Year 11.	

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)	0	0	0
For secondary aged looked after children	1	1	0
<p>F. Please add any comments on the authority's experiences of requesting directions.</p> <p>Whilst the direction request process was fair and produced a good outcome, a great deal of evidence of negotiation with the school was requested by the DFE and the process was lengthy which resulted in the child being out of school for a considerable period. This appears to be at odds with the guidance <i>Promoting the education of looked after and previously looked after children</i> which specifically states that Virtual School Headteachers must <i>[use] their powers of direction in a timely way rather than delay issuing a direction as a result of protracted negotiation</i> (para 17) Guidance as to what constitutes an appropriate amount of negotiation would therefore be welcome.</p>			

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	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
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admissions in 2019?			
Pupil premium	0	0	0
Service premium	0	0	0
Early years pupil premium	0	N/A	0
Total number of schools using at least one premium in their oversubscription criteria	0	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 oversubscription criteria for 2019
Primary including middle deemed primary	Early years		
	Pupil		
	Service		
Secondary including middle deemed secondary	Pupil		
	Service		
All through	Early years		
	Pupil		
	Service		
C. Do you have any further comments on the use of premiums?			

## 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?

290

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

Not all schools refer to BACME using the BACME EHE referral form many EHE pupils are 'picked up' by Sharon (mainly) in Admissions. Sharon then liaises with the Schools, sends the BACME referral form to the schools and requests they follow the referral process. It would be useful to explore a 'tighter' system so potential EHE children don't go missing and schools are aware of their responsibilities with regard to 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?

NA

## 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.

NA

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@osa.gsi.gov.uk](mailto:OSA.Team@osa.gsi.gov.uk) by 30 June 2018