



**Office of  
the Schools  
Adjudicator**

**LOCAL AUTHORITY REPORT  
TO  
THE SCHOOLS ADJUDICATOR  
FROM  
Brighton & Hove Local Authority**

**30 JUNE 2016**

**Report Cleared by (Name): Richard barker**

**(Title): Head of School Organisation**

**Date submitted: 30/6/16**

**By (Name): Saul Johnston**

**(Title): School Admissions Manager**

**Contact email address: [saul.johnston@brighton-hove.gov.uk](mailto:saul.johnston@brighton-hove.gov.uk)**

**Telephone number: 01273 293653**

**[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)**

## **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.

| <b>Type of School</b>       | <b>Number of Schools for pupils up to age 11</b> | <b>Number of Schools for pupils over age 11</b> | <b>Number of all-through schools</b> |
|-----------------------------|--|---|--------------------------------------|
| <b>Community</b>            | 36   | 6   | 0                                    |
| <b>Voluntary Controlled</b> | 0  | 0   | 0                                    |
| <b>Voluntary Aided</b>      | 14   | 1   | 0                                    |
| <b>Foundation</b>           | 0  | 0   | 0                                    |
| <b>Academy</b>              | 1  | 2   | 0                                    |
| <b>Free School</b>          | 1  | 1   | 0                                    |
| <b>UTC</b>                  | N/A  | 0   | 0                                    |
| <b>Studio School</b>        | N/A  | 0   | 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 satisfactorily

Comments: The council gives the highest priority for children in care as required by the Admissions Code. Where necessary it has negotiated with schools to take pupils above the published admission number (PAN) for in year applications.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: The council gives the highest priority for previously looked after children as required by the Admissions Code. Where necessary it has negotiated with schools to take pupils above the published admission number (PAN) for in year applications.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: Where the nature of a disability, special educational need or medical condition makes a compelling case for admission to a particular school but there is no Statement or Education of Special Educational Need or Education, Health and Care Plan, then the council will give priority for admission under its exceptional circumstances admission priority. The council asks for independent evidence of the need for priority admission and can call upon the Consultant Community Paediatrician for advice on medical evidence, and on other professionals if the case for priority is not based on medical

need. This priority does not apply to many voluntary aided schools in the area, although some do include a similar priority within their own published admission arrangements.

- (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 satisfactorily

Comments:

- (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: Where the nature of a disability, special educational need or medical condition makes a compelling case for admission to a particular school but there is no Statement or Educaiton of Special Educational Need or Education, Health and Care Plan, then the council will give priority for admission under its exceptional circumstances admission priority. The council asks for independent evidence of the need for priority admission and can call upon the Consultant Community Paediatrician for advice on medical evidence, and on other professionals if the case for priority is not based on medical need. This priority does not apply to many voluntary aided schools in the area, although some do include a similar priority within their own published admission arrangements.

### 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:

#### 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:

(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:

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 |
|-------------------------------|------------------------------|----------------------------|
| 1196                          | 576                          | N/A                        |

(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 | Number of Schools for pupils over | Number of all-through schools |
|----------------|------------------------------------|-----------------------------------|-------------------------------|
|----------------|------------------------------------|-----------------------------------|-------------------------------|

|                             | age 11 | age 11 |  |
|-----------------------------|--------|--------|--|
| <b>Community</b>            |        |        |  |
| <b>Voluntary Controlled</b> |        |        |  |
| <b>Voluntary Aided</b>      |        |        |  |
| <b>Foundation</b>           |        |        |  |
| <b>Academy</b>              |        |        |  |
| <b>Free School</b>          |        |        |  |
| <b>UTC</b>                  | N/A    |        |  |
| <b>Studio School</b>        | N/A    |        |  |

- (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:

- (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: the council has continued to co-ordinate in-year admissions and it has continued to work effectively.

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

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

Comments: All School have agreed Fair Access Protocol

- (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:

- (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:

- (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            | 5                               | 73                             | N/A                 | 0                                    | 0                              | N/A                 |
| Voluntary Controlled | N/A                             | N/A                            | N/A                 | N/A                                  | N/A                            | N/A                 |
| Voluntary Aided      | 1                               | 7                              | N/A                 | 0                                    | 0                              | N/A                 |
| Foundation           | N/A                             | N/A                            | N/A                 | N/A                                  | N/A                            | N/A                 |
| Academy              | 0                               | 25                             | N/A                 | 0                                    | 0                              | N/A                 |
| Free School          | 0                               | 4                              | N/A                 | 0                                    | 0                              | N/A                 |
| UTC                  | N/A                             | N/A                            | N/A                 | N/A                                  | N/A                            | N/A                 |
| Studio School        | N/A                             | N/A                            | N/A                 | N/A                                  | N/A                            | N/A                 |

- (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            |   |  |                               |
| Voluntary Controlled |   |  |                               |
| Voluntary Aided      |   |  |                               |
| Foundation           |   |  |                               |
| Academy              |   |  |                               |



|                      |     |  |  |
|----------------------|-----|--|--|
| <b>Free School</b>   |     |  |  |
| <b>UTC</b>           | N/A |  |  |
| <b>Studio School</b> | N/A |  |  |

- (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 |
|------------------------|---|--|-------------------------------|
| <b>Voluntary Aided</b> | 14  | 1  | N/A                           |
| <b>Foundation</b>      | N/A                                       | N/A                                      | N/A                           |
| <b>Academy</b>         | 1   | 2  | N/A                           |
| <b>Free School</b>     | 1   | 1  | N/A                           |
| <b>UTC</b>             | N/A                                       | N/A                                      | N/A                           |
| <b>Studio School</b>   | N/A                                       | N/A                                      | 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) |
|-----------------------------|--------------------------------------|--------------------------------------|----------------------------|
| <b>Full appeals process</b> | 16                                   | 4                                    |                            |
| <b>Legal advice</b>         |                                      |                                      |                            |

|   |  |  |  |
|---|--|--|--|
| <b>Assistance in the preparation and presentation of case documentation</b> |  |  |  |
|---|--|--|--|

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

Comment: none

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

Comment:

## 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 |
|------------------------|---|--|-------------------------------|
| <b>Voluntary Aided</b> | 0   | 0  |                               |
| <b>Foundation</b>      | N/A                                       | N/A                                      |                               |
| <b>Academy</b>         | 0   | 0  |                               |
| <b>Free School</b>     | 0   | 0  |                               |
| <b>UTC</b>             | N/A                                       | N/A                                      |                               |
| <b>Studio School</b>   | N/A                                       | N/A                                      |                               |

(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 |
|------------------------|---|--|-------------------------------|
| <b>Voluntary Aided</b> | 3   | 0  | N/A                           |
| <b>Foundation</b>      | N/A                                       | N/A                                      | N/A                           |
| <b>Academy</b>         | 0   | 0  | N/A                           |
| <b>Free School</b>     | 0   | 0  | N/A                           |
| <b>UTC</b>             | N/A                                       | N/A                                      | N/A                           |
| <b>Studio School</b>   | N/A                                       | N/A                                      | 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 |
|-----------------------------|---|--|-------------------------------|
| <b>Community</b>            | 0   | 1  |                               |
| <b>Voluntary Controlled</b> | N/A                                       | N/A                                      |                               |
| <b>Voluntary Aided</b>      | 0   | 0  |                               |
| <b>Foundation</b>           | 0   | 0  |                               |
| <b>Academy</b>              | 0   | 0  |                               |
| <b>Free School</b>          | 0   | 0  |                               |
| <b>UTC</b>                  | N/A                                       | N/A                                      |                               |
| <b>Studio School</b>        | N/A                                       | N/A                                      |                               |

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

Comment: We carry out address checks where necessary and investigate where an allegation is received. Other information is also checked where relevant to the application. A random proof of address request is conducted for primary applications and all addresses for secondary applications are validated.

**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 | 17   |
| Own Admission Authority          | 2  |

| 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 | 16  | 15   |
| Own Admission Authority          | 8   | 5  |

(b) What reasons, if known, were given for seeking to defer the admission to year R of children for a full school year?

|           |
|-----------|
| Comments: |
|-----------|

(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: |
|-----------|

|  |
|--|
|  |
|--|

(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: |
|-----------|

**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/A  |
| Voluntary Controlled Primary   | N/A   | N/A                                       | N/A  |
| Community Secondary            | Y   | N   | N/A  |
| Voluntary Controlled Secondary | N/A   | N/A                                       | N/A  |

|           |
|-----------|
| Comments: |
|-----------|

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   | N/A  |
| Foundation Primary      | N/A   | N/A  |

|                                  |     |     |
|----------------------------------|-----|-----|
| <b>Academy Primary</b>           | N   | N/A |
| <b>Free School Primary</b>       | N   | N/A |
| <b>Voluntary Aided Secondary</b> | N   | N/A |
| <b>Foundation Secondary</b>      | N/A | N/A |
| <b>Academy Secondary</b>         | N   | N/A |
| <b>Free School Secondary</b>     | N   | N/A |
| <b>UTC</b>                       | N/A | N/A |
| <b>Studio School</b>             | N/A | N/A |

Comments:

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

| <b>Type of School</b>               | <b>Has the LA considered giving priority to early years pupil premium? (Y/N)</b> | <b>If YES, have you consulted on this? (Y/N)</b> | <b>In response to consultation has the priority been implemented? (Y/N)</b> |
|-------------------------------------|--|--|---|
| <b>Community Primary</b>            | N  | N/A  | N/A   |
| <b>Voluntary Controlled Primary</b> | N/A  | N/A  | N/A   |

Comments:

In respect of own admission authority schools:

| <b>Type of School</b>          | <b>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)</b> | <b>If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)</b> |
|--------------------------------|--|---|
| <b>Voluntary Aided Primary</b> | N  | N/A   |
| <b>Foundation Primary</b>      | N/A  | N/A   |
| <b>Academy Primary</b>         | N  | N/A   |
| <b>Free School Primary</b>     | N  | N/A   |

Comments:

**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:

**Thank you for completing this report**

**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto:osa.team@osa.gsi.gov.uk)**