

Office of the
Schools
Adjudicator

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

30 JUNE 2012

Report Cleared by (Name): Gil Sweetenham

**(Title): Strategic Commissioner, Planning and
Contracts**

Date submitted: 25/06/12

By (Name): Gil Sweetenham

(Title): Strategic Commissioner, Planning and Contracts

Contact email address: Gil.sweetenham@brighton-hove.gov.uk

Telephone number: 01273 293433

www.education.gov.uk/schoolsadjudicator/

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 in the report to the adjudicator and makes provision for the local authority to include any other local issues.
3. The remit letter from the Secretary of State for Education to the Chief Schools Adjudicator also makes reference to additional matters on which he wishes to have a report included in the Chief Adjudicator's annual report. 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.

For ease of reference the legislation is given below.

Legal References

“88P Reports by local authorities to adjudicator

(1) A local authority in England must make such reports to the adjudicator about such matters connected with relevant school admissions as may be required by the code for school admissions.

(2) In subsection (1) ‘relevant school admissions’, in relation to a local authority, means:

- (a) the admission of pupils to relevant schools in the authority’s area;*
- (b) the admission of pupils in the authority’s area to other relevant schools;*
- (c) the entry to the sixth form of pupils who have been admitted to relevant schools in the authority’s area; and*
- (d) the entry to the sixth form of pupils in the authority’s area who have been admitted to other relevant schools.*

(3) In this section, “relevant school” means--

- (a) a maintained school,*
- (b) an Academy,*
- (c) a city technology college, or*
- (d) a city technology of the arts.”*

“Section 88Q Reports under section 88P: provision of information

(1) A relevant person must, on request, provide a local authority in England with such information as the authority may reasonably require for the purpose of enabling the authority to fulfil their duties

under section 88P.

(2) In subsection (1), “relevant person”, in relation to a local authority, means-

- (a) an admission authority (other than the local authority) for a maintained school in the area of the local authority;*
- (b) -----*
- (c) any member of an appeal panel constituted under section 94 by-*

- (i) the local authority, or*
- (ii) the governing body of a foundation or voluntary aided school in the area of the local authority;*
- (d) the proprietor of-*

- (i) an Academy,*
- (ii) a city technology college, or*
- (iii) a city college for the technology of the arts,*

in the area of the local authority;

- (e) any other local authority in England;*
- (f) other person as may be prescribed.”*

Completing the Template

This template is designed to be completed electronically - boxes will expand as necessary.

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.

Where type of school is given, foundation covers foundation schools and foundation schools with a foundation (trust schools).

Admission Arrangements for Admissions in September 2012

Please provide details of how the admission arrangements for schools in your local authority serves the interests of the groups of children listed below. Please include details of any problems that have arisen while allocating places for admissions in September 2012. (the Code paragraph 3.23 a refers)

Looked after Children: 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. This has resulted in the need to take qualifying measures where pupil numbers have stayed above the PAN after the end of the academic year in which the child in care was placed in the school. It is expected that this will no longer be necessary in accordance with the 2012 Admissions Code.

Previously looked after children Giving priority to previously looked after children was not a requirement for admission arrangements for admissions in September 2012. However, if you have any evidence about the admission of such children please include details here:

We have treated such children in the same way as Looked After Children for admissions in 2012/13

Children with disabilities: Where the nature of a disability or medical condition makes a compelling case for admission to a particular school but there is no Statement of Special Educational Need 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 request 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.

Children who have special educational needs: Children with Statements have priority for admission as required in the Admissions Code and have been allocated places at preferred schools for 2012/13

Fair Access Protocol

The Code at paragraph 3.9 requires each local authority to have a Fair Access Protocol agreed 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 the Fair Access Protocol.

Type of School	Number of schools that have not agreed Fair Access Protocol	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community		
Voluntary Controlled		
Voluntary Aided		
Foundation		
Academy		

c) Please give your assessment of how well the Fair Access Protocol has worked in the academic year 2011/12 in placing children without a school place in schools in a timely manner. Include details of any specific problems that have been encountered in applying the protocol.

As in previous years the Protocol has been particularly successful as a means of placing secondary pupils moving into the area who would otherwise have difficulty in securing a local place. This has been achieved through the continuing cooperation of secondary headteachers in exceeding published admission numbers when necessary. A managed moves arrangement continues to operate. At the time of writing headteachers are considering some amendments to the current arrangements to further ensure the equitable distribution of behaviour based managed moves and permanent exclusions. Schools continue to be supportive of the protocol. It remains the case that far more secondary pupils are placed through the protocol than primary. Brighton & Hove operates a fortnightly BAP group which includes representatives from each secondary school, a representative from the PRU and officers with responsibility for behaviour policy and school admissions. Its main function is to adjudicate on cases which cannot be resolved through established admission processes or which are unusually complex. It is also starting to examine measurable outcomes of pupil movement into and across the City.

d) How many children have been admitted to each type of school in the area under the protocol? 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	Schools for pupils up to age 11	Schools for pupils over age 11
Community	N/A	123	N/A	N/A
Voluntary Controlled	N/A	N/A	N/A	N/A
Voluntary Aided	N/A	29	N/A	N/A
Foundation	N/A	N/A	N/A	N/A
Academy	N/A	4	N/A	N/A

e) Please comment below on the extent to which schools have co-operated in the operation of the protocol.

Fully

f) If children have not been placed in a school through the protocol, have you used the powers of direction to provide a place for a child?

Tick as appropriate: Yes No N/A

g) 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 Secretary of State or after an appeal to the Adjudicator?

Type of School	Number of children placed	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community		
Voluntary Controlled		
Voluntary Aided		
Foundation		
Academy		

Please add any other relevant information you wish to include in this section.

Co-ordination

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2012 in your local authority.

Primary: As before the coordination arrangements in the LA have worked well, with inevitable minor issues on information exchange with some voluntary aided schools, all of which were resolved satisfactorily. Arrangements for pupils living outside the city seeking Brighton & Hove places were conducted effectively with only minor issues which were all resolved. Good cooperation with neighbouring local authorities resulted in the timely allocation of out of city places where they could be offered.

Secondary: As above

Admission Appeals

Please provide details of the number of lodged and upheld parental appeals for admissions in September 2012.

	Lodged	Upheld
Number of appeals for pupils up to age 11.	66	N/A- start on 26 June
Number of appeals for pupils over age 11.	158	55
Date up to which this information applies.	20/6/12	20/6/12

Please note there will be an opportunity to update this data up until 31 August 2012 – the update form is attached as an appendix to this form and provided separately for you to return if you wish at the end of August.

Other Issues

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally.

Please indicate where or how a copy of the report can be obtained by a member of the public: Council Website

If not yet published please provide details of when and where the report will be published:

Local Authority Issues

Please provide details of any other issues that you would like to raise and comment on that are not already covered in this report.

Remit Letter from the Secretary of State for Education to the Chief Adjudicator

The Secretary of State has asked that the Chief Adjudicator’s annual report includes an assessment of the impact in local areas of having more own admission authorities and any implications for parental choice.

Please give the number of types of Schools in your local authority.

Type of School	Number of schools		
	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Total number of Schools
Community	40	6	46
Voluntary Controlled	0	0	
Voluntary Aided	15	1	16
Foundation		0	
Academy	0	2	2
Total number of Schools	55	9	64

Does the local authority carry out any investigations into the impact for parents of having many or most or all schools in an area that are their own admission authority?

Tick as appropriate: Yes No

If **YES**, what was the outcome of the investigation: As part of our reviews of admissions and school places we have looked at the potential impact schools which are their own admission authority has on the distribution of places within the city. Three CE schools take a proportion of local children and we are pursuing this approach with others as we look to expand in the Hove area.

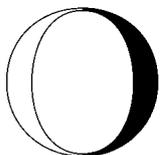
If **NO**, are there any plans to monitor the impact for parents of having an increasing number of own admission authority schools:

If the admission arrangements of individual schools are all considered to be lawful, is there any difficulty for parents in securing a place at a local school?

Tick as appropriate: Yes No

If **YES**, has the local authority considered what might be done to overcome any difficulties:
We are planning to increase availability of school places where there is need.

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**Office of the
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LOCAL AUTHORITY REPORT – Data update 31 August 2012

Brighton & Hove Local Authority

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Date submitted: 25/06/12

By (Name): Gil Sweetenham

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In the LA Report that was submitted by 30th June 2012 we confirmed that there would be an opportunity to update some of the data information. Below is the section of the June Report concerning appeals that you may wish to update. Please complete and return by 31 August 2012.

Admission Appeals

Please provide details of the number of lodged and upheld parental appeals for admissions in September 2012.

	Lodged	Upheld
Number of appeals for pupils up to age 11.		
Number of appeals for pupils over age 11.		
Date up to which this information applies.		

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