



Office of  
the Schools  
Adjudicator

**Local Authority Report**

**To**

**The Schools Adjudicator**

**From**

**Brighton & Hove Local Authority**

**30 June 2018**

**Report Cleared by (Name & Title): Richard Barker, Head of School Organisation**

**Date submitted: 30<sup>th</sup> June**

**By (Name & Title): Saul Johnston, School Admissions Manager**

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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 of 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.

15/01/2018

- 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.

22/01/2018

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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	one	n/a
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.  Variation: Paragraph 3.6 – a school reducing its PAN after determination and without appropriate approval.			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.			

## 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:				

There were no issues with co-ordination for any admissions round.

### 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:  
The communication from the Minister of State for School Standards, in December 2017, led to a small number of residents indicating their disappointment with the Council's admission arrangements because children previously in care outside England did not receive the same priority for admission to school.

### 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.

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 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 all own admission authority schools in the area, although some do include a similar priority within their own published admission arrangements.

## 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	837	408
Number of in year admissions between 1/9/16 and 31/8/17	1556	760
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?	Where a reason is given house move is the most common	Where a reason is given house move is the most common

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.

This has not been an issue in Brighton & Hove with own admission authority schools.

## 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)?

ii. For what proportion of own admission authority schools does the local authority co-ordinate in year admissions?

- a) Primary:  Not applicable  None  Minority  Majority  All  
b) Secondary:  Not applicable  None  Minority  Majority  All  
c) All-through:  Not applicable  None  minority  Majority  All

d) What do you consider are the advantages and disadvantages of the local authority co-ordinating in year admissions (where applicable)?

The local authority has continued to co-ordinate in year admissions for all schools in the area. Advantages include; new arrivals in the city are placed quickly into school, strong monitoring of Children Missing Education, close working with schools and Local Authority, monitoring of own admission authority schools to ensure they apply admission arrangements correctly; parents have a single point of access for school admission and parents don't have to contact multiple schools.

## C. Looked after children and previously looked after children

i. How well do in year admission arrangements in your local authority area serve the interests of looked after children?

- Not at all  Not well  Well  Very well  Not applicable

ii. How well do the in year admission arrangements in other local authority areas serve the interests of your looked after children?

- Not at all  Not well  Well  Very well  Not applicable

iii. How well do in year admission arrangements in your local authority area serve the interests of previously looked after children?

Not at all    Not well    Well    Very well    Not applicable

vii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

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.

#### **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:

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 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.

#### **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:

The local authority scrutinises all referrals through the Fair Access Protocol and they are discussed by the city's Behaviour and Attendance Partnership. Any inappropriate referrals are therefore challenged by either the partnership or the local authority.

### 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	0	33	1	22
Own admission authority schools	0	13	1	9
<b>Total</b>	<b>0</b>	<b>46</b>	<b>2</b>	<b>31</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.

They are advised to remain at their current school or in rare occasions a placement is made available at the PRU or other alternative provision.

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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.</p> <p>There can sometimes be a delay in these pupils being admitted while schools obtain background information concerning challenging behaviour to understand their needs and support their entry into school.</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	0	0	0	0
<p>B. Please add any comments on the authority's experiences of making directions.</p> <p>There has been no need to direct schools to admit any pupils.</p>				

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	0
<p>D. Please add any comments on the authority's experiences of making directions.</p>	

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	N/A	N/A
For primary aged looked after children	0	N/A	N/A
For secondary aged children (not looked after)	0	N/A	N/A
For secondary aged looked after children	0	N/A	N/A
F. Please add any comments on the authority's experiences of requesting directions.			

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 admissions in 2019?	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
Pupil premium	0	0	N/A
Service premium	0	0	N/A
Early years pupil premium	0	N/A	N/A

Total number of schools using at least one premium in their oversubscription criteria	0	0	N/A
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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 over subscription criteria for 2019
Primary including middle deemed primary	Early years	0	0
	Pupil	0	
	Service	0	
Secondary including middle deemed secondary	Pupil	0	0
	Service	0	
All through	Early years	0	N/A
	Pupil	0	
	Service	0	
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?

212

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

## 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?

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## **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.

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