Local Authority Report

To

The Schools Adjudicator

From

Calderdale Local Authority

30 June 2018

Report Cleared by (Name & Title): Stuart Smith, Director for Adult & Children’s Services

Date submitted: 29 June 2018

By (Name & Title): Joanne Moyles, Acting Commissioning Officer (School Organisation & Planning)

Contact email address: joanne.moyles@calderdale.gov.uk

Telephone number: 01422 392536

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

Please email your completed report to: 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**. 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.

   

   12/02/2018

   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.

   

   23/02/2018

   iii. What proportion of arrangements for own admission schools was provided to the local authority by 15 March?

   ☐ Not applicable  ☐ None  ☒ Minority  ☐ Majority  ☐ All

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1 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.
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?

<table>
<thead>
<tr>
<th>Primary including middle deemed primary</th>
<th>Secondary including middle deemed secondary</th>
<th>All through</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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.

vi. Further comment: please provide any comments on the determination of admission arrangements not covered above.

Minor alterations were suggested to some own admission authority arrangements. These included ensuring that catchment maps were published on their website and that the information provided regarding waiting lists was in line with the co-ordinated admissions scheme.

It is unknown whether all own admission authorities have consulted within the last 7 years as required by section 1.42 of the School Admissions Code.

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

<table>
<thead>
<tr>
<th>How well did co-ordination of the main admissions round work?</th>
<th>Not well</th>
<th>A large number of small problems or a major problem</th>
<th>Well with few small problems</th>
<th>Very well</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii. Reception</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iii. Year 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>iv. Other relevant</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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:

All Calderdale schools have oversubscription criteria that gives priority to Looked after and previously looked after children. The virtual schools team will provide information to the admissions team and all Looked after and previously looked after children were allocated their first preference school for admission in September 2018.

Catholic schools give priority to looked after and previously looked after children from Catholic families.

Looked after children and previously looked after children from other Local Authorities that have preferenced a Calderdale school have been given their preferred school and children looked after from Calderdale who have preferred schools outside of the Local Authority have been allocated their preferred 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.

Children who have a statement of special educational needs or an education health and care plan (EHCP) will be allocated a place at the school named on the statement or plan. The Local Authority has a SEN team that organises these admissions with regards to the specific individual needs of the child.

Children with disabilities who have a statement of special educational needs or an education health and care plan (EHCP) will be dealt with in the same manner.

Children that do not have a statement of special educational needs or an education health and care plan (EHCP) will not be given priority as this does not form part of the oversubscription criteria. Therefore, we do not ask for this information on the application form. If parents are not successful in gaining a place at their preferred school they will be given the opportunity to put their case forward to the independent appeals panel.

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.

<table>
<thead>
<tr>
<th></th>
<th>Primary aged children</th>
<th>Secondary aged children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of in year admissions between 1/9/17 and 31/3/18</td>
<td>693</td>
<td>406</td>
</tr>
<tr>
<td>Number of in year admissions between 1/9/16 and 31/8/17</td>
<td>859</td>
<td>604</td>
</tr>
<tr>
<td>The reasons for children</td>
<td>Calderdale co-ordinate the primary in year</td>
<td>Calderdale co-ordinate the in year applications for all</td>
</tr>
</tbody>
</table>
seeking in year admission will vary across the country. What do you consider to be the main reasons in your area?

Applications for specific areas across the region. The reasons for seeking in year admission varies in each area. Approximately half of the requests are families that are new to the area. The remainder have either moved a short distance from the current school or a situation has occurred at the current school that they are unhappy with e.g. bullying, relationship breakdown.

The situation stated above does occur within Calderdale. Some own admission authority schools may refuse to admit applicants where there are technically places available. Where a parent requests an appeal the school may then decide to admit the pupil rather than the case going to an appeal hearing.

This also makes it impossible to ascertain how many available places there are in the area and where further places may be required. This could lead to a shortage of places or alternatively expansions of schools where the extra capacity should not be required.

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 Local Authority cannot guarantee that all schools with delegated
responsibility are compliant with the determined admission arrangements or
the code when dealing with in year admissions. It gives rise to practices
such as covert selection, discouragement of applications from
disadvantaged families and there is a lack of transparency.

The system can be complicated for parents as they have to approach
different schools regarding places available and waiting lists and may not
always be informed of their right of appeal.

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 process is less complicated for parents as they only have to submit
one application.

The Local Authority and all schools who participate ensure that vulnerable
children and children without a school place are offered a place quickly and
within the relevant timescales. This process also enables the Local
Authority to track children missing from education.

The Local Authority will ensure that all parents of pupils that are refused a
place are offered their right of appeal.

The disadvantage is the additional administration work that this involves. If
the team were to co-ordinate admissions for the whole of Calderdale an
additional officer would be required to carry out this work. The Behaviour
and Attendance Collaborative is an extremely effective way of dealing with
admissions, however there are some schools that do not engage with the
BAC arrangement.

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 virtual schools team will deal with requests for in year admissions for looked after children. Such requests will be brought to the Behaviour and Attendance Collaborative (BAC) where applicable and an appropriate offer will be made. Previously looked after children will be dealt with through the normal procedures and will be given the highest priority in accordance with the oversubscription criteria.

Within another Local Authority there was an issue around one school having an inappropriate level of influence over other schools. This resulted in the Local Authority nearly having to go down the route of direction.

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:

Children with an EHCP or statement of special educational needs will be
dealt with by the SEN team and will attend the school that is named on their statement or plan. Children with disabilities who do not have an EHCP or statement of special educational needs will be dealt with through the normal procedure or fair access protocol.

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:

Some schools are often reluctant to admit pupils with challenging behaviour particularly where there is a lack of information from the previous school. In some cases there has been a delay in schools providing a decision to the Local Authority, this has resulted in children being out of school for longer periods of time than they need to be.

There is also no evidence that schools who co-ordinate their own in year admissions refer such cases to the local authority for action under the Fair Access Protocol.

The Behaviour and Attendance Collaborative will ensure that such pupils are offered a school place if they are currently out of school. If they are on roll at a school then it may be considered appropriate to organise a managed move for the pupil or alternatively if a school place cannot be offered then they will be offered their right of appeal.

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
<table>
<thead>
<tr>
<th>Type of School</th>
<th>Number of children admitted</th>
<th>Number of children refused admission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Primary aged child</td>
<td>Secondary aged child</td>
</tr>
<tr>
<td>Community and voluntary controlled</td>
<td>16</td>
<td>7</td>
</tr>
<tr>
<td>Own admission authority schools</td>
<td>6</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>47</td>
</tr>
</tbody>
</table>

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.

One child was refused admission to a primary Academy under the fair access protocol. The child was offered a place at an alternative school under the fair access protocol.

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

F. Please explain your answer giving examples of good and poor practice, successes and difficulties as appropriate.

Hard to place pupils are served well by the Fair Access Protocol for schools involved in a Behaviour and Attendance Collaborative. There are some schools that do not actively participate, however in general the process works very well.

Within the primary sector schools with surplus places often admit more hard to place pupils than schools that are full.

At the secondary collaborative hard to place pupils are shared out amongst the schools concerned to ensure that no school is taking more than their fair share of these pupils.

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?

<table>
<thead>
<tr>
<th>Voluntary aided or foundation</th>
<th>Primary aged children (not looked after)</th>
<th>Primary aged looked after children</th>
<th>Secondary aged children (not looked after)</th>
<th>Secondary aged looked after children</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

B. Please add any comments on the authority’s experiences of making directions.

It was unfortunate that a direction had to be made for a looked after child, however the child was then welcomed into the school and has settled well.

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?

<table>
<thead>
<tr>
<th></th>
<th>For primary aged children</th>
<th>For secondary aged children</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

D. Please add any comments on the authority’s experiences of making directions.

The Virtual schools team started to go down this process but the matter was resolved prior to a direction taking place. The process is very lengthy in terms of all the required letters that needed to be sent.

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?

<table>
<thead>
<tr>
<th></th>
<th>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?</th>
<th>How many requests were outstanding as at 31 March 2018?</th>
</tr>
</thead>
<tbody>
<tr>
<td>For primary aged children (not looked after)</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>For primary aged looked after children</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| For primary aged looked after children       | 0                                                                                              | 0                                             |
For secondary aged children (not looked after) | 0 | 0 | 0
For secondary aged looked after children | 0 | 0 | 0

F. Please add any comments on the authority's experiences of requesting directions.

In one instance the Local Authority were unable to secure a place for a primary aged child under the fair access protocol and therefore made a request to the ESFA to direct an academy to admit the child. Due to the length of time that the full process takes, an alternative offer was made prior to a decision being taken by the ESFA.

G. Any other comments on the admission of children in year.

5. **Pupil, service and early years pupil premiums (the premiums)**

<table>
<thead>
<tr>
<th>A.</th>
<th>How many community or voluntary controlled schools in the local authority area will use a premium as an oversubscription criterion for admissions in 2019?</th>
<th>Primary including middle deemed primary</th>
<th>Secondary including middle deemed secondary</th>
<th>All through</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pupil premium</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Service premium</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Early years pupil premium</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total number of schools using at least one premium in their oversubscription criteria</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>B.</th>
<th>How many own admission authority schools in your area will use one of the premiums as an oversubscription criterion for 2019?</th>
<th>Total number of own admission authority schools using at least one of the premiums in their oversubscription criteria</th>
</tr>
</thead>
</table>
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?

226

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

There are instances where parents will remove their child from the school roll to electively home educate and shortly afterwards apply for a place elsewhere. This can prove difficult for the Local Authority in areas where there is a shortage of places. If the previous school has filled the place and other schools in the area are full, a school may have to admit above their published admission number as a school place must be offered.

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?

N/a

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 by 30 June 2018