



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
LAMBETH Local Authority

30 JUNE 2014

Report Cleared by (Name): Cathy Twist

(Title): Delivery Director for Education, Learning & Skills (ELS)

Date submitted: 30 June 2014

By (Name): Peter Scott

(Title): Service Manager, School Admissions

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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 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, 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.

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 2014.

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	31	1	0
Voluntary Controlled	0	1	0
Voluntary Aided	23	4	0
Foundation	4	1	0
Academy	3	7	2
Free School	0	1	0
UTC	N/A	0	0
Studio School	N/A	0	0

2. Admission Arrangements for Admissions in September 2014

The Code at paragraph 3.23 requires that each local authority must report on how well the admission arrangements for state-funded schools (of all types) in its local authority area serve the interests of the groups of children listed below.

Please include details of any problems that have arisen for these children while allocating places for admissions in September 2014, for example any admission arrangements for own admission authority schools that could be interpreted as implying the school has some discretion over the admission of children who have a statement that names the school or looked after children and previously looked after children other than the permitted exceptions.

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

Tick as appropriate: Fully In part Not satisfactorily

Comments:

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

Tick as appropriate: Fully In part Not satisfactorily

Comments:

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

Tick as appropriate: Fully In part Not satisfactorily

Comments: *All schools support children with disabilities through the statementing process (for those with statements/applying to get a statement or via medical/social criteria. Over 90% of our schools give priority of children who are applying on medical/social grounds, as long as the school is particularly able to meet such a need.*

(d) How well served are **children who have special educational needs and who have a statement of special needs** that names a school?

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: *In the main, all our schools are inclusive. However, schools can get overwhelmed with new arrivals into the area (whether from another Country or from another LA area) who have special needs. The undersubscribed schools do face big challenges admitting children in-year who qualify for a place at the school. Some of these children have significant and severe needs and need a lot of resources to enable them to access the curriculum. Though schools do their best at times, admitting a host of children with needs into certain undersubscribed schools can make the system unmanageable at times. The Fair Access Protocol does help with this but cannot, in all cases, especially when a parent wants a particular school and will not accept any other.*

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 2014 in your local authority highlighting any particular strengths in the process and any problems.

Primary

- (a) How well has the first year of operating the national offer day for primary places worked compared with when there was no specified national offer day?

Tick as appropriate: Better The same Less well

- i) Any strengths of the new procedure?

Comments: *A Pan-London coordinated approach has helped with the clarity of the process across admissions. Parents know that there are parallel systems at work for both reception and secondary transfer and this helps us with the communication with parents on the coordination process.*

- ii) Any problems encountered this year?

Comments: None to mention. All on-time and subsequent late applicants have received an offer.

Secondary

- (b) How well has the operation of national offer day worked for secondary admissions this year?

Tick as appropriate: Better than last year

The same
Less well than last year

i) Any strengths?

Comments: *This is the oldest of the processes and is understood by both parents and schools. There are also fewer schools to deal with and less applicants in Lambeth's context.*

ii) Any problems?

Comments: Though all on-time applicants received an offer, as per last year, one Academy converter and another VA school (both of which had new staff) had issues with their ranking worksheet and so had to make a number of withdrawals after the offer date. This was done in line with 3.22 of the Code and with the good cooperation of neighbouring LAs.

There is a danger when new schools get their funding agreement signed late by the EFA; it normally means there is a big rush to get everything sorted out and new staff do not have the opportunity to liaise with the LA on certain matters. The risk is that many have to learn whilst systems are 'live' and this could cause major issues with regards to the delivery of coordinated admissions.

(c) If you have any UTCs or studio schools in your area, do you co-ordinate admissions for entry at the relevant year group of entry to these schools?

Tick as appropriate: Yes No N/A

If **YES**, please explain 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

From September 2013 in-year admissions have not had to be co-ordinated by the local authority.

(a) How many **pupils** have needed a school place because they do not

have one or parents have applied for a place as an in-year admission for any other reason between 1 September 2013 and 15 June 2014?

For pupils up to age 11	For pupils over age 11	For Sixth Forms
799	271	0

(b) Did you discuss with community and voluntary controlled schools the option of continuing to co-ordinate in-year admissions?

Tick as appropriate: Yes No

Comments: Discussions were had before the 2012 Code with regards to in-year coordination and schools expressed their views at these meetings. 2.21 to 2.22 (and other aspects of the Code) of the Code seems to strongly suggest that admissions authorities (Lambeth have not delegated responsibilities to community school governors) are still responsible for their own admissions and the only way Lambeth LA can fulfil that responsibility is through coordinating community school applications.

(c) Did you discuss with own admission authority schools the option of continuing to co-ordinate in-year admissions?

Tick as appropriate: Yes No

Comments: Some have elected to accept applications directly, whilst others have opted into the LA process for community schools.

(d) Will the local authority continue to co-ordinate in-year admissions for any schools?

Tick as appropriate: Yes No

If **YES**, for which schools will it co-ordinate in-year admissions?:

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	31	1	0
Voluntary Controlled	0	1	0
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	1	1	2
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

(e) If you have any information about how many schools parents approach

before obtaining a place, please comment?

Comments: We do not have this information. It was always noted that this would be extremely difficult to obtain. Schools are extremely busy and to implement a further bit of bureaucracy (though necessary) is difficult as it is very time consuming. This is something that needs to be done quite regularly for some schools and popular oversubscribed schools will have their work greatly increased to do this. As a result, we are not provided with this information.

The DfE were informed that this was a risk. The Code clearly states that schools must inform the LA of this information but to enforce this is difficult and any data received could be inaccurate. As a result, the above figures are far from accurate and only identify the number of applications made to community/voluntary-controlled schools.

- (f) How confident are you that the requirements of the Code at paragraph 2.22 for schools to keep the local authority informed about applications and the outcomes are being met?

Tick as appropriate: Very confident confident not confident

- (g) Across your local authority area 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

- (h) Please comment on the effectiveness overall of in-year admission arrangements across all types of schools in your local authority.

Comments: *The above has been ticked from Lambeth LA view as we simply do not know whether children are falling through the net or not. The tracking of children is proving much more challenging.*

Having 2 procedures where coordination is strong, clear and understandable, then having in-year processes which differ greatly across London also causes confusion for parents, and goes against the spirit of The Code, where clarity of procedures is required. Though our actual procedure in itself is clear, when looking at it alongside other processes, there is, and will always be some conflict.

4. 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 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	NA	
Studio School	N/A	NA	

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

Comments:

- d) Have you reviewed your Fair Access Protocol since the School Admissions Code 2012 was introduced?

Tick as appropriate: Yes No

- e) If **NO**, do you plan to do so in 2014/15?

Tick as appropriate: Yes No

If **NO** please say why not:

- f) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2013/14 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?

There are some challenges with schools responding in line with requested deadlines which can make the process of placing children longer than would be preferable.

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?

The protocol is working as effectively as last year however it has been reviewed and a consultation with schools will be taking place to ensure the protocol is as effective as possible

Tick as appropriate: More frequently same frequency less frequently

i) Have you had any 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: : *Under the FAP, referrals are made to more than one school at a time, therefore if a school is reluctant to accept a child it is likely another school will accept the same child. As stated above schools responding in time is the main difficulty.*

ii) Have you any examples of particularly effective collaboration and working? 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: *Despite the challenges schools can face, a number of year 10s have been placed in mainstream schools. There is also an example of a year 10 who was placed in the PRU whilst FAP referrals were undertaken, a mainstream school was identified and he has been gradually integrating into the school with the intention he will be full time from the new academic year. He was nervous about going straight into a mainstream school and has benefitted from the support and small numbers provided by the PRU.*

g) 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
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	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	6	33				
Voluntary Controlled		8				
Voluntary Aided		4				
Foundation						
Academy		10				
Free School						
UTC	N/A			N/A		
Studio School	N/A			N/A		
Special community	6					
Independent	2	1				

Under the FAP, referrals are made to more than one school at a time, therefore it has not been recorded where they were rejected by a school because they were accepted by another school

- 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			
Free School			
UTC	N/A		
Studio School	N/A		

- j) Please add any other relevant information you wish to include in this section concerning Fair Access Protocols, for example, have you used the guidance issued by the Department for Education in November 2012 ([Link to advice](#)) and has it proved useful?

Comments: *Yes the guidance was used in the drafting of a new protocol*

5. Admission Appeals

- a) Please provide details about the number of appeals lodged for admissions in September 2014

	Lodged	Settled (offered a place through a waiting list or other means - not continuing with appeal)	Withdrawn (no place offered, but not proceeding with appeal)	Appeals Heard	Appeals Upheld (a place offered as a result of the appeal)	Appeals Not Upheld (appeal failed, no place offered)
Pupils up to age 11	71	6	4	27	1	27
Pupils age 11-16	55	10	5	40	4	36
Pupils over age 16						
Date up to which this information applies	30/06	30/06	30/06	30/06	30/06	30/06

Please note there will be an opportunity to update this data up until 31 August 2014 - the update form is attached as an appendix so that you can return it separately if you wish at the end of August.

- b) Please add any comments about the appeals process in your area.

Comments: Below are just a couple of comments provided by some of the VA schools maintained by Lambeth (the majority response was that no appeals had been submitted):

"We have not had any appeals this year for New year 7 September 2014 as we went through our waiting list and are now working through the ones that did not go through our admissions process."

"The Diocesan Appeals Panel carried out their work with impressive diligence and professionalism. We are entirely satisfied with the appeals process worked very closely with the Local Authority and were very appreciative of the support provided"

6. Other Issues

A. Publication of the local authority’s report

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally by 30 June.

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

Tick as appropriate: Local authority website Hard copy Other

If **OTHER** please state how:

If the report is not published by 30 June please provide details of when and where the report will be published:

Comments:

B. Objections to admission arrangements

Paragraph 3.2 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 by the 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
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0
UTC	N/A		
Studio School	N/A		

- b) How confident are you that all community, voluntary controlled and 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 the local authority a copy of their full admission arrangements, including the supplementary information form (or the form by any other name, for example religious inquiry form) if one is used, by 1 May, as specified in 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
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

C. Fraudulent applications

(a) Is there any concern in your local authority about fraudulent applications?

Tick as appropriate: Yes No

(b) Did the 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
Community	2		
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			1
Free School			
UTC	N/A		
Studio School	N/A		

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

Comment:

*We make the request for **correct address** very clear in the admissions arrangements. The arrangements also clearly define what we mean by 'home address' of the child.*

We check Council Tax and Benefits databases to check addresses as well as ask families to provide documentation that identifies that they are living at the address as noted on the CAF.

In our school book and as a disclaimer on the signed and declaration section on the CAF, we stress the importance of identifying the correct address and require that parent to sign stating that they understand this.

We also inform parents via the school book that using a fraudulent address may result in us referring the matter to our Internal Audit and Fraud Team for further action.

D. Summer born children

The DfE issued guidance in July 2013 “Advice on the admission of summer born children” for local authorities, school admission authorities and parents ([Link to advice](#)). The School Admissions 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 refers 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

If **YES**, how many requests did you receive for admission to a Reception class for a child who had reached the normal age for Year 1?

Number: 3

How many were subsequently agreed?

Number: 0

- (ii) For own admission authority schools: Yes No

If **YES**, how many requests were received for admission to the Reception Year for a child who had reached the normal age for Year 1?

Number:

How many were subsequently agreed?

Number:

- (b) What reasons, if known, were given for seeking to delay the admission to reception of the child for a full school year?

Comments: The child was premature born or the parents felt that the child simply was not ready to start schools with his peers.

- (c) Any other comments the local authority has on the matter of admission of summer born children.

Comments: We do not give blanket yes or no's regarding this matter. However, we do stress that any such application must have professional documentation attached and we will ask our MEDSOC (medical/social) Panel to look at these and declare whether priority should be given.

E. Composite prospectus – admission to sixth form

The School Information (England) Regulations 2008, regulation 5 requires the local authority to publish no later than 12 September in the offer year a composite prospectus for primary and secondary schools. Regulation 6 deals with the manner of the publication of the prospectuses and schedule 2 to the regulations details the information to be included in a prospectus.

Schedule 2, paragraph 14 says of what is to be included: *“The determined admission arrangements for the school in relation to each relevant age group at the school (including ages above and below the compulsory school age) and, where the arrangements include a supplementary information form a copy of that form.”*

- (a) How were the admission arrangements for admission to the sixth form of schools that admit students new to the school to year 12 included in a composite prospectus for admissions in September 2014?
- (i) With the admission arrangements for each school admission to the earlier relevant age group (for example Year 7) for admission?

Tick as appropriate: Yes No

or

- (ii) In a separate composite prospectus for the sixth form?

Tick as appropriate: Yes No

or

- (iii) Other, please describe how the requirements of the regulations are met.

Comments:

- (b) If the requirements of the regulations were not met for admissions in 2014, how will they be met for admissions in 2015?

Comments:

F. Admission Forum

- (a) Does your local authority still have an admission forum?

Tick as appropriate: Yes No

If **YES**, which groups, (types of schools and other bodies) are represented on the Admission Forum?

Comments:

How often does this forum meet?

Comments:

What do you see as the key benefits arising from this forum?

Comments:

G. Local Authority Issues

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

Comments: *A parent has approached the OSA and submitted a complaint about one of our all-through Academies, who have nursery priority in their admission arrangements.*

The school stated that there are 3 more primary schools that have this and so the OSA is looking into 4 primary school admission arrangements. The complainant stresses that it is illegal for these admission authorities to have such a criterion in their arrangements.

*The issue of illegality is an interesting one for me, as the previous Code (2010) allowed for this priority but the only thing the current Code says about nursery's is in Sec 15 (d) on page 7 where it states that "Published admission arrangements **must** make clear to parents that a separate application must be made for any transfer from nursery to primary school, and from infant to junior school." Regardless as to whether LAs or admission authorities have any*

issues with this 'nursery priority' issue or not, the wording in the current Code is insufficient for me to tell admissions authorities that it is unlawful (which is a strong word) to have such a priority in their admission arrangements when the Code does not clearly identify this to be the case.

I fully appreciate that this criterion may be unfair and even unclear, but the issue of illegality, I have no wording from the Code to stop admission authorities from using this criterion.

Now it could be (and only could be) that there is something in the regulations regarding this matter. But the Code states that we must comply with its contents. The Code does not reflect any regulations that MAY have instruction on this matter. I know not of any part of the regulations that stress that this is unlawful.

Notwithstanding, I recognise that the Adjudicator has deeded the CHAT schools' criteria as illegal and respect that the Adjudicator has the powers to do so. It is important for Lambeth to await the determined view of the Adjudicator for the Lambeth primaries that have this as a criterion.

Thank you for completing this report

Please email your completed report to: OSA.TEAM@OSA.GSI.GOV.UK