



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Haringey Local Authority

30 JUNE 2016

Report Cleared by (Name): Rory Kennedy

(Title): Assistant Director for Schools and Learning

Date submitted: 30 June 2016

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

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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.

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	36	5	
Voluntary Controlled	1		
Voluntary Aided	14		
Foundation	2	1	
Academy	9	5	1
Free School	2		
UTC	N/A	1	
Studio School	N/A		

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 satisfactory

Comments: Top priority is given to looked after children under the admissions criteria. Where an in-year application is received from a looked after child who is out of school and the school is full, we will ask the admission authority to go over their planned admission number in that year group to accommodate this child. We have not had to use our powers to direct a maintained school to admit a child who is looked after as our schools have always cooperated in admitting without delay.

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

Tick as appropriate: Fully In part Not satisfactory

Comments: Top priority is given to previously looked after children under the admissions criteria. Where an in-year application is received from a previously looked after child who is out of school and a school is full, we will ask the admission authority to go over their planned admission number in that year group to accommodate this child. We have not had to use our powers to direct a maintained school to admit a previously looked after child.

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

Tick as appropriate: Fully In part Not satisfactory

Comments: Parent/carers of children with disabilities that do not have an Education, Health and Care Plan or a statement of special educational needs may indicate on their application form that they wish to be considered for

admission under the social/medical criterion. Parent/carers are asked to submit written professional evidence to confirm that there is an exceptional medical or social need and the information must demonstrate how the specified school is the only school that can meet the defined needs of the child.

The admission of these children to school can fall within the scope of the In-year Fair Access Protocol. These children can be referred to the In-year Fair Access Panel for allocation and take precedence over those on a waiting list.

- (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 satisfactory

Comments: Where children with an Education Health and Care Plan or a statement of special educational needs names the school, we will work with SEN colleagues to ensure that the child is admitted in line with the requirements of the Code at paragraph 1.6.

- (e) How well served are those **children who have special needs, but do not have a statement?**

Tick as appropriate: Fully In part Not satisfactory

Comments: Parent/carers of children with disabilities that do not have an Education, Health and Care Plan or a statement of special educational needs may apply for admission under the social/medical criterion. Parent/carers are asked to submit written professional evidence to confirm that there is an exceptional medical or social need and the information must demonstrate how the specified school is the only school that can meet the defined needs of the child.

The admission of these children to school can fall within the scope of the In-year Fair Access Protocol. These children can be referred to the In-year Fair Access Panel for allocation and take precedence over those on a waiting list.

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: Operating a national offer day for primary places is proving more effective than previous years because it has provided clarity on timescales for families with younger siblings in primary schools and for families moving from and to other parts of the country.

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: The operation of national offer day for Secondary admissions continues to work well.

- (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: Tottenham UTC participated in the PAN London co-ordination admissions system for admission into year 10 in September 2016. In February 2016 the LA received confirmation that the Minister had agreed to the UTC Trust's request to reduce the Year 10 PAN to zero through derogation.

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: N/A

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
1925	905	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 age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community	36	5	
Voluntary Controlled	1		
Voluntary Aided	14		
Foundation	2	1	
Academy	9	3	
Free School	2		
UTC	N/A	1	
Studio School	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: Parents who approach schools direct are asked to complete the Local Authority in-year application form which is sent to the Admissions Service to ensure there is no delay in the child being admitted.

(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 co-ordinated scheme continues to work well. Only a small number of own admitting authority schools have decided not participate in co-ordination.

There is currently a local agreement in place with the Harris Federation schools who have chosen to administer their own in-year admissions and who provide a separate application form to parents. Parent/carers are still able to apply using the local authority in-year application and details are sent securely to the school.

All schools are asked to provide information to comply with paragraph 2.22 on a weekly basis and where this has not been provided, this has been challenged directly with the school.

Own admitting authority schools are advised that they must provide parents with a reason when refusing admission to comply with paragraph 2.24. They must also inform parents of their right to appeal against the refusal of a place and where this has not been provided, this has been challenged directly with the school. This information is communicated to the parent in a letter sent by the local authority as part of co-ordination.

In a small number of instances we have become aware that some Academies have not provided a reason or advised the parent of their right of appeal. We have pointed the Academy to the relevant part of the Code and advised families of their right of appeal when we have become aware of this.

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
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Community	0	0	0
Voluntary Controlled	0	0	0
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	N/A	N/A

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

Comments: N/A

(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: The Local Authority and schools work closely together to ensure pupils are offered places quickly including in years 10 and 11. Alternative provision placements are commissioned where it identified that this will best meet the educational needs of a young person.

(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: Overall the application of the Fair Access Protocol has been very

successful in Haringey in ensuring that pupils without a school place are placed quickly. Where schools have sought to refuse admission Haringey has sought a local resolution and where necessary met with the Headteacher of the school concerned to set out the provisions of the protocol, to illustrate the transparency and equity with which these young people are shared across all schools, and to work with the school concerned to secure admission. We monitor the length of time it takes to admit pupils and we ensure that children are admitted with the minimum of delay.

As a result of this proactive approach and by escalating where needed, to date we have not had to use our powers to direct a maintained school to admit a child who has been allocated through the Fair Access Protocol.

However, one Secondary Academy (St Thomas More Catholic School), has not always fully complied with the Fair Access Protocol and, in addition, we have evidence from parents that they have sought to off-roll vulnerable children with little or no explanation to the family or to the LA and with no clear route for that young person to access education. Such practice disadvantages young people, denying them access to continuous education and places the financial burden on the Local Authority and other schools in the borough to ensure that these young people are able to access education. In 2016 we have had to ask the EFA to direct the Academy to admit two children that had been illegally off-rolled by the academy. This process of referral has caused delays to these children's re-entry to education and has resulted in the Local Authority having to secure an alternative provision to ensure that these children are in education. We have requested direction in February 2016 and at the time of writing have not had a determination on our request.

Our experience has shown that the process of referral to secure direction to Academy schools has been unacceptably slow with no clear timescales within which we and the family can expect a decision to be taken. On two occasions the EFA have written to us stating that they need to take "further advice" because of the complex nature of the cases and despite providing very thorough information on our processes and the details of the circumstances behind the requests.

There is also currently one outstanding primary referral that is causing unnecessary delay for a child currently on roll at the local PRU but who is deemed eminently ready by professionals to return to a mainstream setting. This request was made in April and there is no decision as of 29 June 2016. The outcome of this case has serious implications for our Primary IYFAP process.

To provide clarity and certainty to the process of requests for direction to the EFA we would ask that a definite timeline and a protocol is provided on how decisions on direction are processed and taken so that there is no unnecessary delays for these children being able to access education. These delays disadvantage some of the most vulnerable children in Haringey.

(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	9	41		1	1	
Voluntary Controlled						
Voluntary Aided	5			1		
Foundation		5				
Academy	5	40		1	8	
Free School			1			
UTC	N/A	4		N/A	1	
Studio School	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	1 pending decision	2 pending decision	
Free School			
UTC	N/A		
Studio School	N/A		

(j) Please add any other relevant information you wish to include in sections g - i concerning Fair Access Protocols.

Comments: Regarding table 4(g), the number of children refused admission under the Fair Access Protocol, all the children listed have been reconsidered under the protocol and have been allocated elsewhere. These children are therefore counted in the figures for children who have been placed under the protocol as well as for children who have been refused. In addition to those children listed on the table, we have also admitted children to alternative

provisions in the borough.

Regarding question 4(h) and (i) we have requested three directions from the EFA, but as yet, we have withdrawn two because the children were placed at an alternative provision and the third is pending a decision.

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
Voluntary Aided			
Foundation	2		
Academy	1	3	
Free School			
UTC	N/A		
Studio School	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)
Full appeals process	3	2	
Legal advice			
Assistance in the preparation and presentation of case documentation		1	

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

Comment: The majority of our own admission authority schools do not receive appeals, or do not receive them in large numbers. The schools listed in the tables 5(b) and 5(c) above are those who have received appeals and who have then used our services in this academic year. There are other own admitting authority schools who have used our services in past years, but who have not received any appeals during this academic year and so have not used our services for 2016. Also, one of the secondary academies listed is not in our own borough, but is a school from a neighbouring borough. This school has been included in our figures above.

- (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
Voluntary Aided	0	0	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

- (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
Voluntary Aided	1		
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	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
Community	2		
Voluntary Controlled			
Voluntary Aided			
Foundation		1	
Academy		1	
Free School			
UTC	N/A		
Studio School	N/A		

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

Comment: Haringey takes any potentially fraudulent application very seriously. We request proofs of address and undertake checks on applications to verify information provided. We carry out random checks on a number of applications and we reserve the right to carry out home visits to the address used on the application form. In recent years we have strengthened the checks we undertake, and we aim to continue improvements of the service in

the future. We also run reports on 'frequently used' addresses to check legitimacy.

If we find that a school place was obtained using a false or misleading address, we reserve the right to withdraw the offer and give it to the child who was entitled to the place. Our address verification procedures are set out in our admissions prospectus on our website.

We also ask parents and members of the community to inform us if they become aware of a fraudulent application, or are aware of an intention to submit a fraudulent application. We have a fraud hotline and we have also recently developed an online form by which members of the public can inform us confidentially of fraudulent applications they believe may have been submitted.

We also have published a protocol on our website which relates to the detection of addresses of convenience for any application processed by Haringey.

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	9
Own Admission Authority	unknown- data not held

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	22	22
Own Admission Authority	unknown- data not held	unknown - data not held

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

Comments: The main reasons given in the request for delay for summer born children was that the parent did not feel their child was emotionally ready and that the child would benefit from another year at the nursery provision. Some cited that their children were prematurely born and others provided medical reasons which in most cases impacted on speech and language.

(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: In light of the updated DfE guidance (December 2014) and the open letter released by Nick Gibbs in September 2015 on Summer Born Children the Local Authority has set up a panel of educational professionals to determine each summer born application based on the individual circumstances given by the parents/carers and in the best interests of the child concerned.

Given Nick Gibbs' statement the Panel has so far agreed to all requests to delay and would welcome further clarity on when the government intends to amend the School Admissions Code to allow for summer born children to be admitted to the reception class at the age of five if it is in line with their parent's wishes.

In terms of the definition of 'summer born' the Local Authority does consider the definition of summer born that stretches across five months of the year (1 April to 31 August' to be too broad and offering up too great a flexibility in parents and carers being able to delay admission of their child(ren) to reception class.

In effect this allows around 40% (approximation) of families to delay entry of their child and the implications this has for a) school rolls on a year by year basis, and b) school place planning to factor in projected school rolls (where the level of uncertainty about the number of summer born children delaying entry each year will vary) is high and is therefore likely to present some considerable difficulties for schools and local authorities to plan in a robust and meaningful way for places year on year to the detriment of resources and finances within schools.

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(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/A	N/A	N/A
Voluntary Controlled Primary	N/A	N/A	N/A
Community Secondary	N/A	N/A	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/A	N/A

Foundation Primary	N/A	N/A
Academy Primary	N/A	N/A
Free School Primary	N/A	N/A
Voluntary Aided Secondary	N/A	N/A
Foundation Secondary	N/A	N/A
Academy Secondary	N/A	N/A
Free School Secondary	N/A	N/A
UTC	N/A	N/A
Studio School	N/A	N/A

Comments:

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

Type of School	Has the LA considered giving priority to early years pupil 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		
Voluntary Controlled Primary	N		

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 early years pupil 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	
Foundation Primary	N	
Academy Primary	N	
Free School Primary	N	

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: Our main concerns are around -
1) IYFAP admission by Academies and EFA requests for direction
2) A small number of Academies not (i) advising of reasons for refusing admission and/or (ii) not advising of right of appeal. These are covered above and we have no further LA issues at the current time.

Thank you for completing this report

Please email your completed report to: osa.team@osa.gsi.gov.uk