



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Haringey Local Authority

30 June 2017

Report Cleared by (Name & Title): Eveleen Riordan, Joint Assistant Director for Schools and Learning

Date submitted: 30 June 2017

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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 Schools Adjudicator (CA) 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 2017**.

The questions have been revised for 2017 with the purpose of:

- a) making the information gathered statistically robust and as useful as possible to the local authorities which provide the information; that is: the Office of the Schools Adjudicator (OSA) which receives the information; the Department for Education (DfE) to which the CA provides her annual report; and the children and families for whom the Code is designed to make sure that places are allocated and offered in an open and fair way;
- b) minimising the work required by local authorities in providing information; and
- c) avoiding duplication of effort.

This revised format therefore, in addition to statutory requirements as described in the Code, explores: points raised by local authorities in previous reports and matters which have arisen in the CA's Annual Report and areas of interest to the DfE. If information is already collected elsewhere, such as the number and type of schools and data relating to appeals, then it is not asked for again here but will be available for inclusion in the CA's Annual Report.

Information requested

1. Looked after children and previously looked after children

It is a requirement of the Code that there is information in the local authority's annual report about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children.

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

Not at all Not well Well Very well

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

Not at all Not well Well Very well

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

Not at all Not well Well Very well

Please give examples of good or bad practice or difficulties which support your answer and provide any suggestions for improvement:

Highest priority is given to looked after and previously looked after children in the admission arrangements for all maintained schools and academies in the area. Where an in-year application is received for a looked after child who is out of school and the school is full, we will ask the school to go over their planned admission number.

We will always try to meet the first preference for looked after and previously looked after children, to ensure the best possible outcomes, even if this means occasionally asking a primary school to exceed 30 pupils in an infant class.

We have not had to use our powers to direct a school to admit a looked after or previously looked after child as our schools have always co-operated in admitting without delay. Only one looked after child was initially refused admission by one of our secondary schools this year. The case was escalated to a senior manager and the issues were resolved successfully following negotiations with the school. The child was subsequently admitted without any further delay.

2. Children with disabilities and children with special educational needs

It is a requirement of the Code that there is information in the local authority's annual report about how admission arrangements in the area of the local authority serve the interests of children with disabilities and children with special educational needs.

- a. How well served are children who have 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?

Not at all Not well Well Very well

- b. How well served are children who have disabilities and/or special educational needs who do not have an education health and care plan or a statement of special educational needs?

Not at all Not well Well Very well

Please give examples of good or bad practice or difficulties which support your answer and provide any suggestions for improvement.

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. For the secondary transfer phase, we have had difficulties with one academy's total lack of engagement with the LA in the case of two children with EHCPs where the academy has ignored all emails, telephone calls and letters from the LA to prepare to admit these children in September 2017. As of 30 June 2017 the academy had not responded to any of the LA's communication on this matter. There has also difficulties in previous years with this academy admitting child(ren) with EHCPs where the academy is named as the school in the EHCP. The LA has previously written to the EFA on this matter.

Parent/carers of children who have disabilities and/or special educational needs who 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 that the specified school is the only school that can meet the defined needs of the child. A panel of officers meet to determine whether the evidence provided is sufficiently compelling to meet the above requirements.

The admission of these children to school also falls within the scope of our in-year fair access protocol (IYFAP). These children can be referred to the in-year fair access panel for allocation and take precedence over those on any waiting list.

3. Consultation

Paragraph 1.44 of the Code states who needs to be consulted if consultation on admission arrangements is required. The CA has noted that these requirements are not always fulfilled in the arrangements which come to the attention of the OSA and, in particular, consultation with parents is not always as full as it should be. The OSA therefore wishes to get a better understanding of the wider situation and provide examples of good practice.

- a. When did the local authority last consult on its arrangements?

Please provide the year.

2016

- b. Please describe the means by which the local authority consulted with parents.
Highlight all those means used:

- Committee paper on the local authority's proposals on admissions on the council's website.
- Consultation paper designed for parents on the local authority's proposals on admissions on council's website.
- Request to all schools to provide information on the local authority's consultation on its admission arrangements to parents and providing support to make this possible such as posters, leaflets and links to the relevant information on council's website for the schools' newsletters.
- Request to all early years settings to make information on the local authority's consultation available to parents by providing support to make this possible such as posters, leaflets and links to the relevant information on the council's website for the settings' newsletters.
- Social media (please provide some detail).
- Adverts in local press.
- Articles in local press.

- Posters in supermarkets, doctors' surgeries, early years health centres and similar
- Other (please specify)

How confident are you that other admission authorities in your area are consulting parents properly as required by paragraph 1.44a of the Code?	Not at all confident	Many concerns	Few concerns	Completely confident
c. Voluntary aided				X
d. Foundation				X
e. Academy				X
f. Free				X
g. UTC				N/A
h. Studio				N/A

Please give examples of good practice by schools that are their own admission authority. Examples of good practice in consulting with parents whose children are under compulsory school age will be particularly welcome.

We are aware of only a small number of own admission authority schools in Haringey which consulted on their admission arrangements last year with the remaining not proposing any changes or not required to consult as the prescribed 7-year period without consultation had not yet elapsed.

In addition to publishing information about their consultation in the school newsletter and on the school website, these schools wrote to all neighbouring schools/early year settings and neighbouring boroughs. These schools also asked for support from the Local Authority and requested that we circulate information on their behalf via the LA produced 'Schools Bulletin' which is distributed electronically to the head teacher and chair of governors of every school in the borough.

4. Pupil, service and early years pupil premiums

Has your local authority consulted for admissions in 2018 on using any of the pupil premiums as an oversubscription criterion in community or voluntary controlled schools?	For entry to reception year	For entry to year 7
a. Pupil premium	No	No
b. Service premium	No	No
c. Early years premium	No	N/A

d. If the local authority consulted on any of the pupil premiums please provide a summary of the responses received: NA

e. If you did not consult on introducing the **pupil premium** please indicate up to three main reasons for not doing so:

- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;
- Potential transport cost to local authority for local children displaced;
- Some very disadvantaged families do not apply for free school meals and so would be further disadvantaged;
- Feel community needs already well met;
- Would introduce unnecessary complication;
- Lack of capacity; or
- i. Other (please explain):

f. If you did not consult on introducing the **service premium** please indicate up to three main reason for not doing so:

- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;
- Potential transport cost to local authority for local children who might be prevented from being offered a place at their local school;
- Would introduce unnecessary complication;
- Lack of capacity; or
- Other (please explain): Number of service personnel in our area is negligible/nil

g. If you did not consult on introducing **early years premium** please indicate up to three main reasons for not doing so:

- Application of early years' pupil premium priority for those attending a nursery at the school could unfairly disadvantage those who did not choose to use the nursery at the school;
- Application of early years' pupil premium priority for those attending a nursery at the school could affect the sustainability of other early years' provision;
- Unsure how it will help social mobility;
- Unsure how it will reduce educational inequality;
- Could displace children living locally to a school;
- Potential transport cost to local authority for local children who might be prevented from being offered a place at their local school;
- Some very disadvantaged families do not apply for free school meals and so would be further disadvantaged;
- Feel community needs already well met;
- Would introduce unnecessary complication;
- Lack of capacity; or
- Other (please explain):

How many community or voluntary controlled schools in the local authority area will use pupil premium as an oversubscription criterion for admissions in 2018?	Primary including middle deemed primary	Secondary including middle deemed secondary
h. Pupil premium	0	0
i. Service premium	0	0
j. Early years pupil premium	0	N/A

How many own admission authority schools consulted you on the use of a pupil premium oversubscription criterion for admissions in 2018?	Primary including middle deemed primary			Secondary including middle deemed secondary	
	Early years	Pupil	Service	Pupil	Service
k. Voluntary aided	0	0	0	0	0
l. Foundation	0	0	0	0	0
m. Academy	0	0	0	0	0
n. Free	0	0	0	0	0
o. UTC	N/A	N/A	N/A	N/A	N/A
p. Studio	N/A	N/A	N/A	N/A	N/A

How many own admission authority schools in your area will use one of the premiums as an oversubscription criterion for 2018?	Primary including middle deemed primary			Secondary including middle deemed secondary	
	Early years	Pupil	Service	Pupil	Service
q. Voluntary aided	0	0	0	0	0
r. Foundation	0	0	0	0	0
s. Academy	0	0	0	0	0
t. Free	0	0	0	0	0
u. UTC	N/A	N/A	N/A	N/A	N/A
v. Studio	N/A	N/A	N/A	N/A	N/A

w. Do you have any further comments with regards to the pupil premiums in addition to the above? NA

5. Determined arrangements

The OSA has noted that some admission authorities have not determined their arrangements as required by the Code and so seeks further information on this. Paragraph 3.2 of the Code requires local authorities to refer admission arrangements determined by other admission authorities to the Schools Adjudicator if they are of the view that they are unlawful.

- a. On which date did your local authority determine its arrangements for admissions in 2018?

08 February 2017

- b. When were the determined arrangements published on the local authority's website?

16 February 2017

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?	Primary including middle deemed primary	Secondary including middle deemed secondary
c. Voluntary aided		
d. Foundation		
e. Academy		
f. Free		
g. UTC	N/A	
h. Studio	N/A	
i. Overall, in your consideration of the admission arrangements for 2018 determined by other admission authorities, which paragraphs of the Code gave you greatest concern because of possible non-compliance with requirements?		
<p>This work is still ongoing, however, there are no concerns in terms of the oversubscription criteria for own admission authority schools as they all appear to be reasonable, clear, objective and procedurally fair as set out in paragraph 1.8 of the Code, however, a number of schools are currently being asked to make a minor technical change to their arrangements in relation to the computerised mapping system used by the LA to calculate home to school distance measurements.</p> <p>It must also be noted that a number of schools are being asked to update their websites in relation to the requirement set out in paragraph 1.47. These schools have either not published their admission arrangements on their website or do not display the correct up to date arrangements.</p> <p>The greatest concern therefore for us is not directly in relation to the admission arrangements themselves but the requirement on all admission authorities to display their admission arrangements on their website.</p>		

- j. Further comment: please provide any examples or views regarding the determination of admission arrangements that have not been covered above

6. Co-ordination

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
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a. Reception				X
b. Year 7				X
c. Other relevant years of entry (Juniors)				X

d. Please give examples to illustrate your answer:

The Pan London co-ordinated process continues to work well and is successful in achieving its aims of eliminating multiple offers, simplifying the application process and increasing the number of pupils who receive an offer from one of their preferred schools.

The operation of national offer days for both primary/junior and secondary admissions provides significant benefits for applicants who wish to apply for local and out of borough schools, by providing a clear, streamlined approach for the application process and reducing the stress and anxiety of having to wait for results from different local authorities issued on different dates.

The Pan London co-ordinated process also provides an efficient way for local authorities to release and offer places in a timely manner following national offer day, encouraging local authorities to work collaboratively across borough boundaries to track pupils effectively through shared robust business processes.

e. There has been an increase in the number of schools for which the governing body or academy trust is the admission authority. Please describe the effect of this on the admissions system in your area.

N/A

To how many schools of each type does the local authority delegate responsibility for in-year admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
f. Community	0	0
g. Voluntary controlled	0	0

h. What do you consider to be the advantages and disadvantages of this?

The process would be improved significantly if the LA were responsible for full coordination across all schools in our area. There are no advantages – whilst we have tried to minimise any confusion and frustration for parents choosing to apply for places at schools who have opted out of in-year co-ordination, it has still proved confusing due to the different application processes.

Also, whilst only a small number of own admission authority schools have decided not to participate in in-year co-ordination, it is still difficult for the LA to determine whether these schools are fulfilling their safeguarding and other duties of notifying the LA of any unplaced children who have been refused a place. Frequently the LA does not have sight of any unlawful practise taking place, however, there is anecdotal evidence to suggest 'cherry picking' and parents not being informed of the reasons for refusal or their right of appeal. In the small number of instances where we have become aware that this has happened, we have challenged schools and pointed to the relevant part of the Code and advised families of their right of appeal. However, we believe that a co-ordinated in-year process would

significantly improve process and equity for our families.

For how many schools of each type does the local authority co-ordinate in-year admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
i. Voluntary aided	16	N/A
j. Foundation	2	1
k. Academy	5	3
l. Free	2	0
m. UTC	N/A	1
n. Studio	N/A	N/A
o. What do you consider to be the advantages and disadvantages of this?		
See comments above.		

7. Appeals

Information on the number of appeals lodged and the proportion upheld is collected separately so this information is not requested again. The information requested below is to add to that information.

	a. How many schools of each type engage the local authority to provide all aspects of the appeals process?		b. How many schools of each type engage the local authority to provide some aspects of the appeals process?	
	Primary including middle deemed primary	Secondary including middle deemed secondary	Primary including middle deemed primary	Secondary including middle deemed secondary
Voluntary aided	0	0	0	0
Foundation	1	0	0	0
Academy	1	2	0	1
Free	0	0	0	0
Studio	N/A	N/A	N/A	N/A
UTC	N/A	0	N/A	0
c. Any comments related to this: In each case the school decides whether to engage the local authority on an appeal by appeal basis. Thus, these figures are the numbers of schools who have engaged us this year.				

d. How confident are you that admission appeals for schools which are their own admission authorities meet the requirements of the School Admission Appeals Code?

Not at all confident many doubts a few doubts Very confident

e. Please describe your areas of concern, if any: N/A

f. Please provide examples of good practice which have come to your attention: NA

8. Fair Access Protocol

- a. Do you have a Fair Access Protocol agreed with the majority of state-funded mainstream schools in your area?

Yes No

- b. If no, please explain why:

- c. How many children have been admitted or refused admission under the Fair Access Protocol to each type of school in your area?

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	17	59		2
Voluntary controlled		N/A		N/A
Voluntary aided	3	N/A		N/A
Foundation	3	10		0
Academy	4	50		0
Free		5		0
UTC	N/A	0	N/A	0
Studio	N/A	N/A	N/A	N/A

- d. 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

- e. Please explain your answer giving examples of good and bad practice; successes and difficulties as appropriate.

Overall the application of the Fair Access Protocol has been very successful in ensuring that pupils without a school place are placed quickly. Our mechanisms for implementing our Fair Access Protocol have proved particularly effective this year, both at primary and secondary phase.

Where schools have sought to refuse admission Haringey has sought a local resolution

and where necessary met with the head teacher 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 where there is a significant delay, for whatever reason, we ask a representative from the relevant school to provide an update at the next meeting. The sharing of data with head teachers has ensured the process is seen to be fair and open to scrutiny and challenge by peers.

Our previous difficulties with a secondary Academy that refused to participate in the fair access protocol have now been largely resolved and this has resulted in improved representation at meetings from this Academy and a lower frequency of challenges against children allocated to the Academy by the panel.

The LA has continued to commission alternative provision for some Year 10 and 11 learners. A number of schools have also allowed Year 11 students who are new to the borough to join in Year 10, effectively allowing them to be educated out of their chronological age group as it was determined that this was in the best educational interests of the child.

9. Directions

How many directions did the local authority make between 31 March 2016 and 31 March 2017 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
a. Voluntary aided	0	0	0	0
b. Foundation	0	0	0	0

c. Please add any comment with regard to strengths or difficulties relating to this. NA

How many directions did the local authority make between 31 March 2016 and 31 March 2017 for looked after children in another local authority area?

	For primary aged child	For secondary aged child
d. Community	0	0
e. Voluntary controlled	0	0
f. Voluntary aided	0	0
g. Foundation	0	0

h. Please add any comment with regard to strengths or difficulties relating to this. NA

How many requests for directions did the local authority make to the EFA between 31 March 2016 and 31 March 2017?				
	For primary aged children (not looked after)	For primary aged looked after children	For secondary aged children (not looked after)	For secondary aged looked after children
i. Academy	0	0	0	0
j. Free	0	0	0	0
k. Studio	N/A	N/A	0	0
l. UTC	N/A	N/A	0	0

m. Please add any comment with regard to strengths or difficulties relating to this. NA

10. Other matters

Are there any other matters that the local authority would like to raise that have not been covered by the questions above?

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@osa.gsi.gov.uk by 30 June 2017