



Office of
the Schools
Adjudicator

Local Authority Report

to

The Schools Adjudicator

from

Haringey Local Authority

to be provided by

30 June 2019

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**Please email your completed report to: osa.team@schoolsadjudicator.gov.uk
by 30 June 2019 and earlier if possible**

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Introduction and guidance on completing the report

1. 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 matters. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2019**.
2. Please note that the specified date for returning this form by 30 June is a Code requirement; this is why some data are asked for by financial year.
3. We have made some changes to the information and categories of information sought this year:
 - a. we have removed references to “all through” schools and instead would be grateful if local authorities would follow the approach used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002², and
 - b. we have decided not to use the term “own admission authority schools” to mean those schools for which the local authority is not the admission authority (that is foundation, voluntary aided and academy schools). This is because a large number of arrangements are now determined by multi-academy trusts. We will therefore refer to ‘schools for which the local authority is not the admission authority’.
4. Local authorities will notice that we have not included this year a number of questions which have been asked in past years. This is because we judge that we are unlikely to receive much information that adds to the existing body of knowledge and do not wish to take up local authorities’ time unnecessarily. We have not asked:
 - a. for details of the particular provisions of admission arrangements determined by other admission authorities challenged by local authorities;
 - b. local authorities’ views of how well the interests of children with special educational needs or disabilities are met at the normal points of admission;
 - c. about the advantages and disadvantages of co-ordinating in year admissions;
 - d. about the reliance on paragraph 3.12 of the Code by other admission authorities in the local authority’s area;
 - e. for information about admission authorities’ approaches to deciding whether or not they had places available in year; or

¹ [Department for Education Statistical First Release](#)

² [The Education Middle School \(England\) Regulations 2002](#)

- f. for the number of children refused admission to a school under the fair access protocol.

Local authorities are, of course, free to comment on any of these matters if they wish to do so under section 6. The views expressed by local authorities in previous years also remain a matter of public record.

5. We are asking new questions this year about:

- a. the proportion of schools with other admission authorities in the local authority area for which the local authority ranks preferences for the schools concerned on the admission authorities' behalf;
- b. use of oversubscription criteria which give priority to children adopted having previously been in care abroad; and
- c. how well served are children who are looked after by another local authority but being educated in the area of the local authority submitting the report.

6. We continue to ask about the use of the premiums in admission arrangements but have provided further guidance on this in footnote 11. In particular, we ask local authorities to include in their responses schools using part of any of the premiums (such as free school meals eligibility). Please consider this footnote before answering the questions on this matter.

Information requested

Section 1 - Normal point of admission

A. Determined arrangements

- i. Please give the date your local authority determined arrangements for admission in 2020 to its voluntary controlled and community schools.

12/02/2019

- a. This local authority has no community or voluntary controlled primary schools (please tick box if this applies)
- b. This local authority has no community or voluntary controlled secondary schools (please tick box if this applies)

- ii. Please specify the date the determined arrangements for voluntary controlled and community schools were published on the local authority's website.

13/02/2019

- iii. Please provide a link to where the admission arrangements can be viewed on the local authority's website on publication.

<http://www.minutes.haringey.gov.uk/ielssueDetails.aspx?IId=64574&PlanId=0&Opt=3#AI59687>

iv. What proportion of arrangements for schools for which the local authority is not the admission authority was provided to the local authority by 15 March 2019?

None Minority Majority All

	Primary	Secondary
v. How many sets of admission arrangements of schools for which the local authority is not the admission authority were queried directly by your local authority because they were considered not to comply with the Code?	0	0
vi. Please provide any comments on the determination of admission arrangements not covered above. There have been no concerns this year and all sets of admission arrangements were considered to comply with the Code.		

B. Co-ordination

i. Provision of rankings:

a. What proportion of schools for which the local authority is not the admission authority provided their rankings correctly undertaken by the agreed date?

None Minority Majority All

b. For what proportion of schools with other admission authorities in the local authority's area did the local authority rank preferences expressed for those schools in 2019?

None Minority Majority All

ii. Please provide any comments you wish to make in respect of provision of rankings:

A small proportion of Secondary schools for which Haringey is not the admission authority did not provide their rankings correctly undertaken by the agreed date. There were small inaccuracies in ranking for a Church school and an Academy that operates banding, but these were quickly resolved with advice and intervention from the LA,

There were no concerns in relation to rankings for entry to primary schools.

iii. Does the local authority charge schools for providing rank preferences?

Yes No

iv. Does the local authority rank preferences for other admission authorities in OTHER local authority areas and, if so, for how many schools?

No

v. 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
Reception				X
Year 7				X
Other relevant years of entry				X

vi. 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.

C. Looked after and previously looked after children

i. How well does the admissions system 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 applicable³

- ii. How well do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission**?

Not at all Not well Well Very well Not applicable

- iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area at **normal points of admission**?

Not at all Not well Well Very well Not applicable³

- iv. How well does the admissions system 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 applicable³

- v. Priority in admission arrangements for 2020 for adopted children previously in care abroad.

- a. Do the arrangements for any **community or voluntary controlled primary** schools include this priority for 2020? Yes No

If yes please provide the number of community or voluntary controlled primary schools that include this priority.

- b. Do the arrangements for any **community or voluntary controlled secondary** schools include this priority for 2020? Yes No

If yes please provide the number of community or voluntary controlled secondary schools that include this priority.

- c. Do the arrangements for any primary schools for which the local authority is **not the admission authority** include this priority for 2020? Yes No

If yes please provide the number of primary schools for which the local authority is **not the admission authority** that include this priority.

³ 'Not applicable' will only be appropriate if there are no children falling within this definition.

- d. Do the arrangements for any secondary schools for which the local authority is **not the admission authority** include this priority for 2020?

Yes No

If yes please provide the number of secondary schools for which the local authority is **not the admission authority** that include this priority.

- e. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish.

Haringey agree with the views formed by the London Inter Authority Admissions Group (LIAAG) following the release of a letter from the Education Minister requesting that admission authorities introduce priority in their admission arrangements for adopted children previously in care abroad.

There is a wide consensus from partners at LIAAG that admission authorities should not feel compelled to consult on introducing priority before a legislative change. It is Haringey's view that there is risk of challenge to admission authorities that introduce priority before a legislative change which clarifies exactly which children must receive priority and how such priority may be evidenced in order to ensure parity with those from the English care system and equitable treatment across all admission authorities.

- vi. Please give any examples of good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at the **normal points of admission**:

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. These children are typically offered their highest preference at normal points of admission. In a very small number of cases, some will be disadvantaged because faith schools can give priority to children of the faith above looked-after and previously looked after children not of the faith. The Code should be revised to ensure that more looked-after and previously looked after children are able to access 'Good or 'Outstanding' faith schools.

We have encountered some difficulties with collecting information relating to the status of previously looked after children. Where a child is previously looked after we ask for a copy of the adoption, child arrangements or special guardianship order and documents or a letter showing that the child was previously in care. In some cases, parent/carers do not have access to these documents, or the relevant local authority no longer retain any record of the child's previously looked after status.

D. Special educational needs and disabilities

- i. Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at the normal points of admission:

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.

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.

Section 2 - In year admissions⁴

A. The number of in year admissions

- i. Do you know the number of in year admissions to primary schools in your local authority area? Yes No
- ii. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:
- schools with other admission authorities are not complying with the requirement in paragraph 2.22 of the Code to notify the local authority of applications for places and the outcome;
 - the local authority does not use the information provided by schools with other admission authorities to collect the numbers of in year admissions; and/or

⁴ 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 after the end of the statutory waiting list period in normal years of admission.

other?

There are a small number of **primary** schools for which the local authority is not the admission authority not complying with the requirement in paragraph 2.22 and this means that the in-year admission data held by the LA is incomplete. Please note that the data provided below for secondary schools does not include independent schools as they also do not comply with this requirement.

iii. Do you know the number of in year admissions to secondary schools in your area? Yes No

iv. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:

schools with other admission authorities are not complying with paragraph 2.22 of the Code;

the local authority does not use the information provided by schools with other admission authorities to collate the numbers of in year admissions; and/or

other?

(please specify)

v. If the local authority does know the number of in year admissions to state funded schools in its area, please complete the following table.

	Primary aged children	Secondary aged children
Number of in year admissions between 1/9/17 and 31/8/18	N/A	479
Number of in year admissions between 1/9/18 and 31/3/19	N/A	448

B Co-ordination of in year admissions

i. To what proportion of community and voluntary controlled schools did the local authority delegate responsibility for in year admissions in the academic year 2018/19?

- a) Primary: Not applicable⁵ None Minority Majority All
b) Secondary: Not applicable⁵ None Minority Majority All

ii. For what proportion of schools for which the local authority is not the admission authority does the local authority co-ordinate in year admissions?

- a) Primary: None Minority Majority All
b) Secondary: None Minority Majority All

iii. Please provide any comments on the co-ordination of in year admissions if you wish.

Co-ordination of in-year admissions would be improved significantly if it were mandatory for LAs to be responsible for full co-ordination across **all** schools. 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 still proves confusing due to the different application processes.

Whilst only a small number schools for which the Local authority is not the admission authority 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 centrally co-ordinated in-year process would significantly improve process and equity for families.

C Looked after children and previously looked after children

i. How well does the in year admissions system serve children who are looked after by your local authority and who are being educated in your area?

- Not at all Not well Well Very well Not applicable⁶

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

⁵ 'Not applicable' will only be appropriate if the local authority has no community or voluntary controlled primary/secondary schools.

⁶ 'Not applicable' will only be appropriate if there are no children falling within this definition.

Not at all Not well Well Very well Not applicable⁶

iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area?

Not at all Not well Well Very well Not applicable⁶

iv. How well does your in year admissions system serve the interests of previously looked after children?

Not at all Not well Well Very well Not applicable⁶

v. Please give examples of any good or poor practice or difficulties which support or exemplify your answers about looked after and previously looked after children:

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.

In a very small number of cases placing a looked after or previously looked after child in years 10 or 11 has been more challenging as a result of the shortage of school places across the borough and the complexities associated with integrating these children at such a late stage in KS4.

The needs of our looked after and previously looked after children are paramount and we do successfully manage to place them into an appropriate school or alternative provision. Furthermore, 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.

We have, however, experienced some difficulties in placing Haringey looked after children in other local authority areas, where there is delay and drift in places being offered. In some cases, this is related to children that require an alternative provision or a place in a PRU due to the lack of provision in their home authority. Some Local Authorities have told us that they do not have a suitable provision for Haringey looked after children living in their area. These cases are escalated to senior management and the issues tend to be resolved successfully following negotiations with the relevant local authority.

D Children with special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who have an education health and care plan that names a school when they need to be admitted in year?

Not at all Not well Well Very well Not applicable⁷

- ii. How well served are children with special educational needs and/or disabilities who do not have an education health and care plan when they need to be admitted in year?

Not at all Not well Well Very well Don't know

- iii. Please give examples of good or poor practice or difficulties which support or exemplify your answers:

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.

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 the meet the 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.

E Other children⁸

- i. How well served are other children when they need a new school place in year?

Not at all Not well Well Very well Don't know

⁷ 'Not applicable' will only be appropriate if there are no children falling within this definition.

⁸ Other children are those not looked after, previously looked after or with special educational needs and/or disabilities.

ii. Please provide any comments you wish to make in respect of other children:

There have been a small number of cases where schools have refused to admit children with challenging behaviour, and we challenged these schools. These cases are occasionally escalated to senior management and the issues tend to be resolved successfully following negotiations with the school.

F Fair access protocol

i. Has your fair access protocol been agreed⁹ with the majority of state-funded mainstream schools in your area?

Yes for primary

Yes for secondary

ii. If you have not been able to tick both boxes above, please explain why:

iii. How many children were admitted to schools in your area under the fair access protocol between 1 April 2018 and 31 March 2019?

Type of school	Number of children admitted	
	Primary aged children	Secondary aged children
Community and voluntary controlled	0	48
Foundation, voluntary aided and academies	0	92
Total	0	140

iv. 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 applicable¹⁰

Please make any relevant comment on the protocol not covered above.

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.

⁹ An existing protocol remains binding on all schools up until the point at which a new one is adopted.

¹⁰ 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

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 where there is delay, for whatever reason, we ask a representative from the relevant school to provide an update at the next fair access meeting. The sharing of data with headteachers 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 resolved and this has resulted in improved representation at meetings from this Academy and a lower frequency of challenge 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 enabled Year 11 students who are new to the borough to join in Year 10 as it was determined that this was in the best educational interests of the child.

We have occasionally had Haringey children come to IYFAP who have been “off rolled” from schools outside of the borough without having a school place to go to. We have challenged these schools or the LA if it is the admission authority, where this occurs.

Section 3 - Directions

A. How many directions did the local authority make between 1 April 2018 and 31 March 2019 for children in the local authority area?

	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
Voluntary aided or foundation	0	0	0	0

B. Please add any comments on the authority's experiences of making directions in these circumstances.

C. How many directions did the local authority make between 1 April 2018 and 31 March 2019 for a maintained school in another local authority area to admit a looked after child?	
For primary aged children	For secondary aged children
0	0
D. Please add any comments on the authority's experiences of making directions in these circumstances.	
N/A	

E.	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
How many requests to the ESFA to direct an academy to admit a child did the local authority make between 1 April 2018 and 31 March 2019?	0	0	0	0
How many children were admitted to an academy school as a result of the request for a direction by the local authority to the ESFA between 1 April 2018 and 31 March 2019?	N/A	N/A	N/A	N/A
How many requests were outstanding as at 31 March 2019?	N/A	N/A	N/A	N/A
F. Please add any comments on the authority's experiences of requesting directions in these circumstances.				
N/A				

G. Any other comments on the admission of children in year not previously raised.

None

Section 4 - Pupil, service and early years pupil premiums (the premiums)¹¹

A. How many community or voluntary controlled schools in the local authority area will use each premium as an oversubscription criterion (including the tiebreaker) for admissions in 2020?	Primary	Secondary ¹² <u>excluding</u> grammar	Grammar ¹²
Early years pupil premium	0	N/A	N/A
Pupil premium	0	0	N/A
Service premium	0	0	N/A
Total number of schools using at least one premium in their oversubscription criteria	0	0	N/A

B. How many schools for which the local authority is NOT the admission authority in your area will use each premium as an oversubscription criterion (including the tiebreaker) for 2020?	Primary	Secondary ¹² <u>excluding</u> grammar	Grammar ¹²
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¹¹ Please include in these figures all schools whose arrangements give priority on the basis of eligibility for one or more of the premiums or part thereof except where the only sub-group is looked after and previously looked after children as all schools must give first priority to these children.

Admission authorities can limit priority to specific sub-groups of those who attract a premium. Examples are:

- children of parents who are currently serving in the UK regular armed forces (rather than all children who attract the service premium); or
- children who are eligible for free school meals at the time of application (rather than all children who attract the pupil premium).

If such sub-groups have priority at any point within the oversubscription criteria, they should be included in the totals for this table even if there is no specific use of the terms, 'pupil premium,' 'early years premium' or 'service premium' in the arrangements. Paragraphs 1.39A and 1.39B of the Code provide the relevant exceptions to paragraph 1.9f (which prohibits giving a priority to a child according to the occupational or financial status of parents applying).

¹² Do not include use in post 16 arrangements

Early years pupil premium	0	N/A	N/A
Pupil premium	0	0	N/A
Service premium	0	0	N/A
Total number of schools using at least one premium in their oversubscription criteria	0	0	N/A

Section 5 - Electively home educated children

A. How many children were recorded as being electively home educated in the local authority area on 29 March 2019?

249

B. Any comments to make relating to admissions and children electively home educated that you have not previously raised?

The increase in EHE numbers over recent years is still apparent and is partly due to perceived dissatisfaction with the mainstream school system, and parental disagreement with school staff.

Section 6 - Other matters

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

We are currently in communication with a secondary academy in the borough about the interpretation of their children of staff criteria and a subsequent offer made. We have asked the academy to withdraw the offer and are awaiting confirmation of this.

Section 7 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2020.

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Thank you for completing this template.

Please return to Lisa Short at OSA.Team@schoolsadjudicator.gov.uk by 30 June 2019