



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Durham Local Authority

30 JUNE 2015

Report Cleared by (Name): Caroline O'Neill

(Title): Head of Education

Date submitted: 26 June 2015

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

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 2015.

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	147	14	0
Voluntary Controlled	17	0	0
Voluntary Aided	47	2	0
Foundation	0	2	0
Academy	9	14	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	2	0

2. Admission Arrangements for Admissions in September 2015

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:

1. Any ways in which the 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 2015.

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

Tick as appropriate: Fully In part Not satisfactorily

Comments: In both the primary and secondary sectors, the highest priority awarded in the criteria for oversubscription is to Looked After Children and previously Looked After Children.

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

Tick as appropriate: Fully In part Not satisfactorily

Comments: In both the primary and secondary sectors, the highest priority awarded in the criteria for oversubscription is to Looked After Children and previously Looked After Children.

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

Tick as appropriate: Fully In part Not satisfactorily

Comments: Children with exceptional medical needs are the second priority in the oversubscription criteria in both the primary and secondary sector.

(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 satisfactorily

Comments: In accordance with the SAC, all pupils with a Statement of Special Educational Needs or an Education Health and Care Plan which names a particular school are allocated a place at that school.

(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: These children are not prioritised for school admission however, all of these children can have their needs met within any mainstream school and have access to the appropriate resources and support.

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 2015 in your local authority highlighting any particular strengths in the process and any problems.

Primary

(a) How well has the second 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: All parents now receive an offer of a school place on the same day and co-ordination is easier.

(ii) Any problems encountered this year?

Comments: None

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: All parents receive an offer of a school place on the same day

and co-ordination is easier

(ii) Any problems?

Comments: None

(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: The admissions process has worked well, with pupils being admitted to the relevant year group of entry.

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 2014 and 15 June 2015?

For pupils up to age 11	For pupils over age 11	For Sixth Forms
1659	108	0

(b) Does the local authority co-ordinate in-year admissions for any schools in its area?

Tick as appropriate: Yes No

If **YES**, for how many of which schools does it currently 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	147	14	N/A
Voluntary Controlled	17	N/A	N/A
Voluntary Aided	47	2	N/A
Foundation	N/A	2	N/A
Academy	9	14	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	2	N/A

(c) If you have any information about how many schools parents approach before obtaining a place, please comment?

Comments: This is unknown

(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?

Tick as appropriate: Very confident Confident Not confident

(e) 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

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

Comments: As the LA co-ordinates all in year admissions for all schools it is well placed to monitor the available school places across the area. Children are placed quickly and fairly and in line with parental preference, as far as is possible.

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

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

Comments:

- (d) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2014/15 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 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:

- (f) 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: On a small number of occasions we have had schools / academies reluctant to admit pupils with challenging behaviour who have moved into the LA areas from another LA area, where an alternative to mainstream education had been in place but the young person had not been permanently excluded from school.

- (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		
	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	7	54	N/A	0	2	N/A
Voluntary Controlled	0	N/A	N/A	0	N/A	N/A
Voluntary Aided	1	9	N/A	0	0	N/A
Foundation	N/A	0	N/A	N/A	0	N/A
Academy	1	42	N/A	0	0	N/A
Free School	N/A	N/A	N/A	N/A	N/A	N/A
UTC	N/A	N/A	N/A	N/A	N/A	N/A
Studio School	N/A	1	N/A	N/A	0	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	0	2	N/A
Voluntary Controlled	0	N/A	N/A
Voluntary Aided	0	0	N/A
Foundation	N/A	0	N/A
Academy	0	0	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	0	N/A

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

Comments:

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 the comments reported in 2014 by some local authorities in response to the invitation to “*add any comments about the appeals process in your area*”, it would be helpful to be able to gather views across all local authorities on the extent to which schools that are their own admission authority continue to use local authority services for 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 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	47	2	N/A
Foundation	N/A	2	N/A
Academy	9	14	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	2	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	9	16	N/A
Legal advice	56	18	N/A
Assistance in the preparation and presentation of case documentation	9	16	N/A

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

Comment: None

(e) Please add comments about any other aspect of the appeals process in your area that works well or causes difficulties.

Comment:

6. Other Issues

A. 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 directly 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	N/A
Foundation	N/A	0	N/A
Academy	0	0	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	0	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	0	0	N/A
Foundation	N/A	0	N/A
Academy	0	0	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	0	N/A

B. 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	8	2	N/A
Voluntary Controlled	0	N/A	N/A
Voluntary Aided	0	0	N/A
Foundation	N/A	0	N/A
Academy	0	0	N/A
Free School	N/A	N/A	N/A
UTC	N/A	N/A	N/A
Studio School	N/A	0	N/A

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

Comment: Sibling link checks are undertaken for every applicant and pupil address checks are undertaken for all applicants offered a place at an over-
--

subscribed school.

C. Summer born children

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 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, 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**, please complete the table:

Type of School	How many requests for admission to year R for a child who has reached the normal age for Year 1	How many requests were subsequently agreed?
Community & Voluntary Controlled	0	0
Own Admission Authority	1	1

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

Comments: Child was born on 31 August at 24 weeks gestation. Both the medical evidence supplied by the child's consultant neonatologist (via parent) and professional educational advice sought by LA supported a delayed admission.

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

Comments:

D. Pupil, service and early years premium

The 2014 School Admissions Code enables 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 need to have consulted as required by the Code.

(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 be implemented? (Y/N)
Community Primary	N	N	N/A
Voluntary Controlled Primary	N	N	N/A
Community Secondary	N	N	N/A
Voluntary Controlled Secondary	N/A	N	N/A

Comments: The LA had already undertaken consultation for 2016/17 when the new Code was published. Cabinet is aware of the opportunity for priority admission of these children but before any decision is taken whether to consult on the inclusion of the new criteria, the LA will seek further information about how nationally LAs would be able to gather information on the potential number of pupils who would receive premium funding at the point when the school places are allocated in the normal admissions round, specifically for entry into Reception.

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? (number)
Voluntary Aided Primary	N	
Foundation Primary	N/A	
Academy Primary	N	
Free School Primary	N/A	
Voluntary Aided Secondary	N	
Foundation Secondary	N	

Academy Secondary	N	
Free School Secondary	N/A	
UTC	N/A	
Studio School	N	

Comments: As the LA is wanting to give careful consideration to the issue of priority admission for these pupils, it has noted that concern has been expressed at the significant disparity between community and voluntary controlled schools and own admission authority schools, if the latter did not adopt the same criteria.

(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 be implemented? (Y/N)
Community Primary	N	N	
Voluntary Controlled Primary	N	N	

Comments: The LA had already undertaken consultation for 2016/17 when the new Code was published. Cabinet is aware of the opportunity for priority admission of these children but before any decision is taken whether to consult on the inclusion of the new criteria, the LA will seek further information about how nationally LAs would be able to gather information on the potential number of pupils who would receive premium funding when the school places are allocated in the normal admissions round, specifically for entry into Reception.

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? (number)
Voluntary Aided Primary	N	

Foundation Primary	N/A	
Academy Primary	N	
Free School Primary	N/A	

Comments: As the LA is wanting to give careful consideration to the issue of priority admission for these pupils, it has noted that concern has been expressed at the significant disparity between community and voluntary controlled schools and own admission authority schools, if the latter did not adopt the same criteria.

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 2015?

(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 2015, please give reasons why.

Comments:

F. Admission Forum

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

Tick as appropriate: Yes No

(b) Has this been continuous or re-instated?

Tick as appropriate: Continuous Re-instated

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

Comments: All types of schools, parents, local authority, diocesan authorities.

How often does this forum meet?

Comments: Once a term

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

Comments: The forum is a very useful vehicle to discuss and monitor admission arrangements in the area and ensure both fairness and compliance with statutory requirements.

G. Local Authority Issues

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:

Thank you for completing this report

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