



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Suffolk County Council Local Authority

30 JUNE 2016

Report Cleared by (Name): Adrian Orr

**(Title): Deputy Assistant Director Education and
Learning**

Date submitted: 28 June 2016

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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 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	116	7	0
Voluntary Controlled	63	1	0
Voluntary Aided	21	3	0
Foundation	1	1	0
Academy	51	32	0
Free School	0	5	0
UTC	N/A	0	0

Studio School	N/A	0	0
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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: All Suffolk schools admissions policies prioritise Looked After Children (LAC) in their criteria for oversubscription

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

Tick as appropriate: Fully In part Not satisfactory

Comments: All Suffolk schools admissions policies prioritise previously Looked After Children (LAC) in their criteria for oversubscription. There have been no issues with schools admitting previously LAC in the normal admissions round for September 2016.

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

Tick as appropriate: Fully In part Not satisfactory

Comments: Some Suffolk schools’ admissions policies give priority to students with specific needs. If a child with disabilities is admitted to a school the County Council may, in discussion with the school (except academies) agree to additional provision being made to accommodate the pupil.

Generally, the admission of children with disabilities runs smoothly and the LA works with the school to clarify:

- any personalised provision that may be required
- the funding arrangements

- access to advice and training that may be needed.

(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: All Suffolk schools admissions policies include details that a child with a statement of special needs or an Education, Health and Care Plan (EHCP) naming their school will be admitted.

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

Tick as appropriate: Fully In part Not satisfactorily

Comments: Some Suffolk schools' admissions policies give priority to students with specific needs/medical but do not have a statement of special needs or EHCP.

The LA does not give priority within the oversubscription criteria to pupils who have special needs but do not have a statement or EHCP.

Children who have special needs, but do not have a statement or EHCP, are included in Suffolk's Fair Access Protocol, when there is a late application.

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: Due to quite significant differences in the admission arrangements between our authority and one of our neighbouring authorities it resulted in co-ordination and reiteration of files being transferred very late within the process. This put an immense amount of pressure on both authorities to meet the statutory deadlines.

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: It continues to be easier for parents to only apply to their home authority and to receive one offer of a place. However, some authorities accept applications or changes to applications at other specified dates after the closing dates. This creates confusion in the co-ordination process if the authority where the school is located does not operate any other dates for changes etc. Overall, the co-ordination works well. However, it can be confusing for families moving from one authority to another during the normal transfer process where authorities operate different policies.

(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:

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

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
4,074 including 2,624 applications processed by the County Council; and	1,838 including 683 processed by the County Council; and	0

1,450 notified by Own Authority Admission (OAA) schools	1,155 notified by OAA schools	
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(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	116	7	0
Voluntary Controlled	63	1	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	0	0

(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: We don't collect any information regarding how many schools parents might approach before obtaining a place as we do not have any way of recording this information. We have been made aware that some OAA schools are advising parents that a particular year group is full but not advising them to make an application which would enable them the right to appeal.

(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: Suffolk County Council has not been co-ordinating in-year admissions for OAA schools since September 2015. We have developed and implemented an in-year procedure with OAA. For the majority of OAA schools, we receive notification of applications and the outcomes in a timely manner. However, we are not confident that OAA schools make it clear to parents that they are entitled to make an application even if the year group is full.

We have continued to experience lengthy delays in receiving responses/decisions from some OAA Schools who appear to be making background checks on the pupils before confirming their decision. This may have an impact on pupils who have just moved to the area and do not yet have a school place. The Local Authority would not allocate an alternative school place until we are notified that an OAA school has refused an application, assuming they have made us aware of such an application.

Due to the background checks some schools are making, it means that some applications are being refused unlawfully as schools have space within the year group, and the reasons for refusal are not compliant within the Schools Admission Code.

We are trying to work with the individual schools to make them aware of the requirements set out in the Code. Whilst we understand that OAA schools may wish to investigate the background of an applicant, this is not compliant with the Schools Admission Code. We believe that it would be helpful to clarify in the School Admissions Code when this might be appropriate, particularly in relation to the identification of Fair Access cases. We are aware that some other local authorities accept schools making background checks, whereas Suffolk does not.

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
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	0	0

(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 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:

(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: We hold regular In-Year Fair Access Panel meetings with headteachers and other professionals working across childrens' services, including health services, in Suffolk. A few schools have attempted to resist the admission of children, particularly who have poor attendance elsewhere or through information gained during a parent's visit to the school. We consider this to be an 'interview' and therefore not compliant with the Code. We have also had to intervene when schools have clearly investigated a child's background prior to determining an application and so have subsequently referred the case to the In-Year Fair Access Panel inappropriately.

(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	0	0	N/A	4	2	N/A
Voluntary Controlled	0	0	N/A	2	0	N/A
Voluntary Aided	0	0	N/A	0	0	N/A
Foundation	0	0	N/A	0	1	N/A
Academy	0	8	N/A	1	5	N/A
Free School	0	1	N/A	0	0	N/A
UTC	N/A	N/A	N/A	N/A	N/A	N/A
Studio School	N/A	N/A	N/A	N/A	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	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	0	0

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

Comments: Admission applications only form part of the In-Year Fair Access Panel's Agenda. This panel also consider permanent exclusion reintegrations, managed moves and PRU allocations. Together, the Panel reaches a general consensus which ensures that the pupils are placed in an appropriate setting.

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	20	1	0
Foundation	0	2	0
Academy	13	11	0
Free School	0	0	0
UTC	N/A	0	0
Studio School	N/A	0	0

- (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	33	14	0
Legal advice	Maintained/VC only	Maintained/VC only	
Assistance in the preparation and presentation of case documentation	Maintained/VC only	Maintained/VC only	

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

Comment: Provision of data for schools census.

(e) Please add comments about any aspects of the appeals process in your area that work well or that cause difficulties, as appropriate.

Comment: The appeal process for LA maintained schools works very well. This is still not the case for most academies.

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	16	1	0
Foundation	0	0	0
Academy	27	18	0
Free School	0	2	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	0	0	
Foundation	0	0	
Academy	0	0	
Free School	0	0	
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	1	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	0	0

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

Comment: We check addresses with information provided by schools and ask for evidence of addresses where necessary. Any allegations made of a

fraudulent address are investigated fully and the appropriate action taken where necessary. On the application form we ask parents to make a declaration to confirm that the information given is true.

There is a note in our composite prospectus to say “we will check allegations of false addresses or other false information given on the CAF1 or SIF and will withdraw offers of places if we find that details were deliberately false or misleading”. If we receive an allegation we will contact parents for proof of their address and, if they are unable to provide this, withdraw the place taking into account 2.12 of the Code.

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	3
Own Admission Authority	Unknown

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	19	13

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

Comments: Premature babies, particular medical needs or operations, the particular individual needs of the child due to health or previous family circumstances.

(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: We have received several requests since the normal admissions round. We currently have 4 outstanding requests all very recently received which are being considered by Headteachers or awaiting further information from parents.

(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	Y	N	
Voluntary Controlled Primary	Y	N	
Community Secondary	Y	N	

Voluntary Controlled Secondary	Y	N	
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Comments: We did not consult on the pupil premium because of concerns that introducing this oversubscription criterion could potentially discriminate against other vulnerable groups and other families who are not in receipt of benefits. This would be particularly unfair if a family had been entitled to free school meals for a very short period of time and had since overcome their financial situation, as they may still qualify for pupil premium.

We did not consult on introducing the Service Premium. It is clear why the School Admissions Code gives priority to children of UK service personnel. However, this does not seem to apply to families who have previously served in the UK Armed Forces, unless it relates to a parent who has just left the forces and who is relocating to a new area. The proposal to include previous service families appears unfair to other vulnerable groups and other applicants.

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	
Foundation Primary	N	
Academy Primary	N	
Free School Primary	N/A	
Voluntary Aided Secondary	N	
Foundation Secondary	N	
Academy Secondary	N	
Free School Secondary	N	
UTC	N/A	
Studio School	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	If YES, have you consulted on this?	In response to consultation has the priority
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	to early years pupil premium? (Y/N)	(Y/N)	been implemented? (Y/N)
Community Primary	Y	N	
Voluntary Controlled Primary	Y	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/A	

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: It is difficult for the LA to plan places in an area when an academy decides a) to accept students over the PAN and admit all applicants for the school without consideration/requirement to consult and this has had a significant impact on neighbouring schools; or b) to reduce the admission limit for year groups that are not the year of entry.

It is difficult to forecast the number of places required in an area with 2 USAF bases. These children will often attend Reception and Year 1 and then leave to attend the base school. This impacts on the availability of local places resulting in children being transported to schools further away, and local primary schools struggling with lower pupil numbers in Year 2 onwards.

Thank you for completing this report

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