



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Kensington and Chelsea Local Authority

30 June 2017

Report Cleared by (Name & Title): Ian Heggs, Director for Schools

Date submitted: 24 July 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 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 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

In accordance with the School Admission Code, all Kensington and Cheslea schools give top priority to children in care. This is stated in the determined admission arrangements for community schools. All own admission authority school admission arrangements have been scrutinised by local authority officers and the relevant diocese for compliance and we can confirm that all policies clearly state children in care as the top priority in relation to oversubscription criteria.

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 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

All schools are compliant with the requirement for the placement of children with an SEN statement or an EHC plan.

For children without a statement or EHC plan, the mechanisms of the fair access protocol ensures that the placement of children is managed in a fair and transparent way without unnecessary delays.

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)

Leaflet produced for a specific school which proposed a key change to arrangements. A company called London Letterbox was used to post to over 8000 addresses.

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	n/a	n/a	n/a	X
e. Academy				X
f. Free				X
g. UTC				X
h. Studio	n/a	n/a	n/a	X

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.

Inclusion in School's Newsletter, email sent to parents

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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:
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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):

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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):

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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	n/a
i. Service premium	0	n/a
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	n/a	n/a
m. Academy	0	0	0	0	0
n. Free	1	1	1	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	n/a	n/a
s. Academy	0	0	0	0	0
t. Free	1	1	1	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?

Eligibility checking is not straight forward. Schools need to be able to do this themselves otherwise the burden is placed on LAs. The question of eligibility needs to be placed on the CAF. As it only applies to very few schools, it can be confusing to parents.

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?

24 February 2017

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

10 March 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	0	0
d. Foundation	0	n/a
e. Academy	0	0
f. Free	0	0
g. UTC	N/A	n/a
h. Studio	N/A	n/a
<p>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> <p>Para. 1.8</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
a. Reception				X
b. Year 7				X
c. Other relevant years of entry				
<p>d. Please give examples to illustrate your answer:</p> <p>As a co-located tri-borough Admissions Team, parents are better informed as queries relating to schools across the three boroughs could be dealt with in one conversation. As the coordinated process is administered by one team, it provides the flexibility to allocate school places when a requested preference cannot be offered even if this means a school in one of the neighbouring LAs.</p>				

<p>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.</p> <p>Schools that are their own admission authority, or that have converted to an academy, have, in a small number of cases, refused admission without a legitimate reason. Cases are challenged but are often resisted. Continuous communication takes time leading to the child out of school for longer than necessary.</p> <p>Improved and more robust powers for LAs would be welcome in such cases as the route of Direction can take too long and damage relationships with schools. For children in Year 10 or 11 that are refused admission, time is of the essence to secure a school place.</p>
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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	11	n/a
g. Voluntary controlled	n/a	n/a
<p>h. What do you consider to be the advantages and disadvantages of this?</p> <p>In-year admissions for all community schools are coordinated by the LAs Admissions Team. The advantages are the elimination of duplicate offers and more importantly, safeguarding and ensuring children without a school are registered with the LA until they are on roll of a school.</p>		

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	11	1
j. Foundation	0	0
k. Academy	1	2
l. Free	0	0
m. UTC	N/A	n/a
n. Studio	N/A	n/a
o. What do you consider to be the advantages and disadvantages of this?		
<p>Advantages as above.</p> <p>Disadvantages are the few school that do not participate make offers to children that we are also processing applications for via the in-year coordinated route. These schools do not always notify us in a timely manner which is not resourceful.</p> <p>However, as we have in place a robust Starters and Leavers system to meet the CME regulations, we do find out that a child has been placed on a school roll of a non-participating school via this route. The key is for all schools to be held accountable in Ofsted inspections by providing evidence that they meet this legal requirement.</p>		

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	2	0	0	0
Foundation	0	0	0	0
Academy	0	2	0	0
Free	0	0	0	0
Studio	N/A	n/a	N/A	n/a
UTC	N/A	n/a	N/A	n/a
c. Any comments related to this:				
<p>For section (b) I have indicated zero but it may be the case that a school that doesn't normally have appeals may find themselves with a request and are not clear on how to proceed. In such situations, the school will contact us and we will support them. This</p>				

support can range from simple guidance, to preparing paperwork, and/or, present the case on the school's behalf (chargeable).

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:

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

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	0	n/a	n/a	n/a
Voluntary controlled	n/a	n/a	n/a	n/a
Voluntary aided	0	2	0	0
Foundation	n/a	n/a	0	0
Academy	1	4	0	0
Free	0	n/a	0	0
UTC	N/A	n/a	N/A	n/a
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.

All school fully engage in Fair Access which is led coordinated by the LA with the panel comprising of H&F and RBKC Heads. The LA Admissions team collate all the associated case notes and circulate before planned meetings. This approach is to achieve placements in a school without delay. Very few case require consideration at meetings but if they do, they are all placed in accordance with the LAs protocol

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.

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	n/a
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.

Issues of refusal to admit a child to a school has on a small number of occasions resulted in an 'Internal Instruction notice'. This sets out the potential for the LA to direct if the child is not admitted within a given number of days. This approach has achieved the desired result without the need for formal direction.

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	n/a	n/a
l. UTC	N/A	N/A	0	0

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

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