



Office of  
the Schools  
Adjudicator

## **Local Authority Report**

**To**

**The Schools Adjudicator**

**From**

**Rotherham Local Authority**

**30 June 2018**

**Report Cleared by (Name & Title): Dean Fenton, Service Lead - School Planning, Admissions & Appeals**

**Date submitted: June 2018**

**By (Name & Title): Christopher Stones, Principal Officer – School Planning, Admissions and Appeals**

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**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto:osa.team@osa.gsi.gov.uk) by 30 June 2018 and earlier if possible**

## **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 Adjudicator then includes a summary of these reports in her annual report to the Secretary of State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.23 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other issues. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2018**.

The report to the Secretary of State for 2017 highlighted that at the normal points of admission the main admissions rounds for entry to schools work well. The Chief Adjudicator expressed less confidence that the needs of children who need a place outside the normal admissions rounds were so well met. In order to test this concern, local authorities are therefore asked to differentiate their answers in this year's report between the main admissions round and in year admissions<sup>1</sup>. The order of this template for the annual report by local authorities reflects this.

## **Information requested**

### **1. Normal point of admission**

#### **A. Determined arrangements**

- i. Please specify the date your local authority determined its arrangements for admissions in 2019 for its voluntary controlled and community schools. Please state if this question is not applicable as there are no voluntary controlled or community schools in the local authority area.

**22/02/2018**

- ii. Please specify the date the determined arrangements for voluntary controlled and community schools were published on the local authority's website. Say if not applicable.

**22/02/2018**

- iii. What proportion of arrangements for own admission schools was provided to the local authority by 15 March?

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<sup>1</sup> 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.

Not applicable   None   Minority   Majority   All

	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
iv. 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?	Nil	Nil	Nil
v. If, when you considered arrangements for own admission authority schools for 2019, you had any concerns about Code compliance, please indicate which paragraphs of the Code you thought were mainly being breached. N/A			
vi. Further comment: please provide any comments on the determination of admission arrangements not covered above. N/A			

## B. Co-ordination

- i. Provision of rankings: what proportion of own admission authority schools provided their rankings correctly undertaken by the agreed date?

Not applicable   None   Minority   Majority   All

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
ii. Reception			Y	
iii. Year 7				Y
iv. Other relevant years of entry				Y
v. Please give examples to illustrate your answer: One neighbouring authority was very late (last working day before offer day) with their final outcomes which stalled our processes and impacted on potential offers to be made by Rotherham.				

### **C. Looked after and previously looked after children**

- i. How well do admission arrangements 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 applicable

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

Not at all    Not well    Well    Very well     Not applicable

- iii. How well do admission arrangements 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 applicable

- iv. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

All Y6-Y7 transitions have school places in good or outstanding schools and all our Looked After Children have places in the school's that are requested. This is supported by Virtual School transition advocate presence in termly Personal Education Plans and ensuring that admission requests are sent through in advance of deadlines and that both schools are present at transition PEP meetings to plan a positive transition. This is the case both in and out of authority.  
As yet VS have no data on post LAC transitions.

### **D. Special educational needs and disabilities**

- i. How well served are children with 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 at normal points of admission?

Not at all    Not well    Well    Very well    Not applicable

- ii. How well served are children with disabilities and/or special educational needs who do not have an education health and care plan or a statement of special educational needs at normal points of admission?

Not at all    Not well    Well    Very well    Not applicable

iii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement.  
A high percentage of children are positively admitted into school at both Special Educational Need Support and Education Health Care Plan phases.

## 2. In year admissions

**A. The number of in year admissions.** We are asking for two years' data for comparative purposes. If you do not have the data for the year 1/9/16 to 31/8/17 available, please still provide the data for 1/9/17 to 31/3/18.

i.	Primary aged children	Secondary aged children
Number of in year admissions between 1/9/17 and 31/3/18	730	311
Number of in year admissions between 1/9/16 and 31/8/17	1242	491
The reasons for children seeking in year admission will vary across the country. What do you consider to be the main reasons in your area?	Moved within Rotherham Moved from outside Rotherham Moved from Overseas Unhappy at/with current school Bullying Looked after children	Moved within Rotherham Moved from outside Rotherham Moved from Overseas Unhappy at/with current school Bullying Looked after children

ii. The Code requires the setting of a published admission number (Published Admission Number) for each normal year of entry. In the annual reports for 2017 several local authorities referred to problems in relation to in year admissions when schools which are their own admission authority refuse to admit applicants even if the year group concerned contains fewer children than the relevant PAN suggested could be accommodated. This was referred to sometimes as 'capping' in-year admissions and local authorities observed that it reduced the number of places available below that anticipated by the local authority. Please comment on your experience as a local authority.

There is an increasing problem of schools/academies refusing when below PAN. Impact is children out of school for longer than necessary particularly where there are repeated refusals from schools in their area and then having to wait for the appeals process to determine outcomes and the potential for referral under Fair Access process if appeal unsuccessful.

Reasons for refusal include:

Only one class for this year group (however surplus places below PAN) an example would be 30 children on roll so school has put them in one class however PAN is higher (e.g. 40+) but school unwilling/unable to split classes and will therefore refuse any additional applicants.

Unable to meet the child's needs - due to demands on resources within the school; number of children already requiring support; deficit budget and potential staff redundancies etc....

School of concern/ Ofsted category – schools requesting block on admissions for a period of time citing this reason.

## B. Co-ordination of in year admissions

i. To what proportion of community and voluntary controlled schools does the local authority delegate responsibility for in year admissions?

- a) Primary: Not applicable None Minority Majority  All
- b) Secondary: Not applicable None Minority Majority  All
- c) All-through: Not applicable None Minority Majority  All

d) What do you consider to be the advantages and disadvantages of delegating responsibility for in year admissions (where applicable)?

No advantage to delegating as it makes it difficult to monitor movement of children within the borough. Data from schools to central pupil database is also not always accurate and updated. Co-ordinating admissions to and from a central point makes it easier for parents, schools and admissions to track if an application has been received and a decision made.

ii. For what proportion of own admission authority schools does the local authority co-ordinate in year admissions?

- a) Primary: Not applicable None Minority Majority  All
- b) Secondary: Not applicable None Minority Majority  All
- c) All-through: Not applicable None minority Majority  All

d) What do you consider are the advantages and disadvantages of the local authority co-ordinating in year admissions (where applicable)?

Co-ordinating admissions to and from a central point makes it easier for parents, schools and admissions to track if an application has been received and a decision made. Also helps track the movement of children in and around the Borough and for Children Missing Education and safeguarding purposes. There has been an increase in the number of cases where schools/academies are not notifying the Local Authority of admission requests and transfers as per the local co-ordination agreement.

### C. Looked after children and previously looked after children

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

Not at all    Not well    Well    Very well     Not applicable

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

Not at all    Not well    Well    Very well     Not applicable

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

Not at all    Not well    Well    Very well     Not applicable

vii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

In Authority, in year transitions are more difficult, as school's often prefer not to take more complex young people. However, through the Social Emotional Mental Health partnership work, and strategic oversight of admissions these barriers are, in most cases, removed in a timely manner. However, we have had young people in the latter half of Y11 who we have returned to our authority and have not been able to be placed in schools and have remained off roll.

Out of authority, particularly in Secondary the situation is far more concerning. Young people with high levels of SEMH needs, but no EHCP are increasingly difficult to place. Lack of provision to meet need within schools or Alternative provisions are the key reason for this. Schools often take a long time to respond and refuse to take. VS has to increasingly offer high levels of financial support to a receiving school to fund additional staffing to meet need and support EHCP applications. It often takes between half a term and a full term after a move to achieve full time on roll status in an out of authority school.

### D. Children with disabilities and children with special educational needs

- i. How well served are children with 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 when they need to be admitted in year?

Not at all  Not well  Well  Very well  Not applicable

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

Not at all  Not well  Well  Very well  Not applicable

- iii. Please give examples of good or poor practice or difficulties which support your answer, and provide any suggestions for improvement:

A high percentage of children are positively admitted into school at both SEN Support and EHC Plan phases.

In year admissions are on the whole positively accepted for children with EHC Plans following agreement at formal consultation.

## E. Other children

- i. How well served are other children when they need to be admitted in year?

Not at all  Not well  Well  Very well  Not applicable

- ii. Paragraph 3.12 of the Code - several local authorities referred to paragraph 3.12 in their annual report for 2017 stating that this was being used “inappropriately” by some admission authorities. Please could you comment on your experience as a local authority:

There is an increasing problem of schools/academies refusing when below PAN citing challenging behaviour of the child or pressures within the cohort. Impact is children out of school for extended periods of time due to repeated refusals from schools in their area then having to wait for appeals process to determine outcomes and the subsequent referral under Fair Access process if appeal unsuccessful. (see also A(ii))

## 3. Fair Access Protocol

- A. Has your Fair Access Protocol been agreed with the majority of state-funded mainstream schools in your area?

Yes for primary  
 Yes for secondary

B. If you have not been able to tick both boxes above, please explain why:  
N/A

C. How many children have been admitted or refused admission under the Fair Access Protocol to schools in your area between 31 March 2017 and 31 March 2018?

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 and voluntary controlled	0	1	0	0
Own admission authority schools	0	8	0	0
Total	0	9	0	0

D. If a number of children have not secured school places following the use of the protocol, please indicate what provision is made for these children.  
N/A

E. 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 applicable

F. Please explain your answer giving examples of good and poor practice, successes and difficulties as appropriate.

This year, all primary age pupils have been allocated school places via the admissions and appeals route therefore, it has not been necessary to use the Fair Access Protocol. Previously, we have used the Protocol. We found that when we built a brand new primary school in the centre of Rotherham it alleviated much of the pressure for primary school places within this part of the borough.

With regard to secondary age pupils, they are considered under the Fair Access Protocol and they are allocated either a school placement or alternative provision. Some cases are complex and require more bespoke educational provision. In Rotherham, all secondary schools/academies are within one of the three local partnerships Social Emotional and Mental Health Pupil Management Groups. In January, 2018, following consultation, it was agreed to refer Fair Access Cases onto the specific partnership for that area for the school representatives to make recommendations about appropriate provision.

Schools/academies work together to put forward solutions. Any pupil potentially requiring

alternative provision in a PRU is referred onto the Borough Wide Strategic Fair Access Panel. The Strategic Panel also has an overview, monitoring the decisions of the local partnerships and making binding decisions about placements where necessary.

#### **4. Directions**

A. How many directions did the local authority make between 31 March 2017 and 31 March 2018 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	Nil	Nil	Nil	Nil
B. Please add any comments on the authority's experiences of making directions. Nil return.				
C. How many directions did the local authority make between 31 March 2017 and 31 March 2018 for a maintained school in another local authority area to admit a looked after child? Nil.				
For primary aged children		For secondary aged children		
Nil		Nil		
D. Please add any comments on the authority's experiences of making directions. Nil return.				

E.	How many requests to the ESFA to direct an academy to admit a child did the local authority make between 31 March 2017 and 31 March 2018?	How many children were admitted to school as a result of the request for a direction by the local authority to the ESFA between 31 March 2017 and 31 March 2018?	How many requests were outstanding as at 31 March 2018?
For primary aged children (not looked after)	Nil	Nil	Nil

For primary aged looked after children	Nil	Nil	Nil
For secondary aged children (not looked after)	Nil	Nil	Nil
For secondary aged looked after children	Nil	Nil	Nil
F. Please add any comments on the authority's experiences of requesting directions. Nil return.			

G. Any other comments on the admission of children in year. No.

## 5. Pupil, service and early years pupil premiums (the premiums)

A. How many community or voluntary controlled schools in the local authority area will use a premium as an oversubscription criterion for admissions in 2019?	Primary including middle deemed primary	Secondary including middle deemed secondary	All through
Pupil premium	Nil	Nil	Nil
Service premium	Nil	Nil	Nil
Early years pupil premium	Nil	N/A	Nil
Total number of schools using at least one premium in their oversubscription criteria	0	0	0

B.	How many own admission authority schools in your area will use one of the premiums as an oversubscription criterion for 2019?	Total number of own admission authority schools using at least one of the premiums in their over subscription criteria for 2019
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Primary including middle deemed primary	Early years	Nil	0
	Pupil	Nil	
	Service	Nil	
Secondary including middle deemed secondary	Pupil	Nil	0
	Service	Nil	
All through	Early years	Nil	0
	Pupil	Nil	
	Service	Nil	
C. Do you have any further comments on the use of premiums? No.			

## 6. Electively home educated children

- A. How many children were recorded as being electively home educated in the local authority area on 29 March 2018?

171

- B. Any comments to make relating to admissions and children electively home educated?

- 171 in Y0-Y11 who are of Compulsory School Age.
- First Rotherham Flexi-Schooling case recorded June 2018. Aware that:
  - Other LAs in region are beginning to report a small number of Flexi-schooling agreements.
  - Flexi-Schooling is being actively advertised by a primary school in a neighbouring LA so that learners don't receive full-time education in school and parents have freedom of choice for activities during EHE days. Schools maintain accountability for results and claim funding.

## 7. Other matters

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

Nil return.

## 8. Feedback on the Local Authority Report template

In previous years we have asked for feedback on the process of completing the template in the following November to inform what is asked in the following year. We are aware that it may be easier to provide feedback on providing information for the annual report at the time rather than later. We would therefore be grateful if you could provide any feedback on completing this report to inform our practice for 2019.

Nil return.

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@osa.gsi.gov.uk](mailto:OSA.Team@osa.gsi.gov.uk) by 30 June 2018