



**Office of
the Schools
Adjudicator**

**LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Rotherham Local Authority**

30 JUNE 2013

Report Cleared by : Helen Barre

**Service Lead, School Admissions
Organisation and SEN Assessment Service**

Date submitted: 30 June 2013

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School Organisation

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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. The remit letter from the Secretary of State for Education to the Chief Schools Adjudicator also makes reference to additional matters on which he wishes to have a report included in the Chief Adjudicator's annual report. 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.

Where type of school is given; foundation covers foundation schools and foundation schools with a foundation (trust schools). Academy covers all types of Academy schools (Academies, Free Schools, University Technical Colleges and Studio Schools).

Local Authority school numbers

Please give the total number of schools by type within your local authority as at 30 June 2013.

Type of School	Number of schools		
	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Total number of Schools
Community	78	9	87
Voluntary Controlled	2	0	2
Voluntary Aided	16	1	17
Foundation	0	1	1
Academy	3	5	8
Total	99	16	115 + 6 Special

Admission Arrangements for Admissions in September 2013

Please provide details of how the admission arrangements for schools in your local authority serve the interests of the groups of children listed below. Please include details of any problems that have arisen for these children while allocating places for admissions in September 2013 [the Code paragraph 3.23 a) refers].

Looked after children: All schools have prioritised Looked after Children in the Admission arrangements for September 2013 and have allocated places to these children.

Previously looked after children: All schools have prioritised previously Looked after Children in the Admission arrangements for September 2013 and have allocated places to these children.

Children with disabilities A pupil may be offered a place under the Social and Medical categories within the Admission oversubscription criteria. The Common Application Form requests parents/carers to provide details and these cases are carefully considered, allocating places where appropriate.

Children who have special educational needs

- i) Have a statement of special needs that names a school: Any child with a Statement of Special Educational Needs naming a particular school is offered a place at that school.
- ii) Have special needs, but do not have a statement: All applications are carefully considered. Children who have special needs but not a Statement may be offered a place under the social and medical categories based upon the evidence presented.

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 that have not agreed Fair Access Protocol	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community	0	0
Voluntary Controlled	0	0
Voluntary Aided	0	0
Foundation	0	0
Academy	0	0
Total	0	0

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

64 mainstream schools (56%) responded to the consultation and 100% of these agreed with the revised Protocol.

d) Have you reviewed your Fair Access Protocol since the School Admissions Code 2012 was introduced?

Tick as appropriate: Yes No

e) If YES, please briefly outline the process for the review and include any significant changes that have been made to your protocol.

The current Protocol was reviewed with a sub group of school leaders and relevant LA officers during the Spring Term. It was also reviewed with the Local Admissions Forum.

A proposed revised Protocol, including an update on in year admission arrangements in line with the new Code, was issued to all mainstream schools with a consultation proforma.

The sub group met to consider the consultation responses, a Panel process and Terms of Reference.

The outcome from the consultation has been shared with mainstream schools and the Local Admissions Forum.

In line with consultation responses, separate Primary and Secondary Fair Access Panels are in the process of being set up to meet initially this term but with full effect from September 2013.

The revised Protocol will be included in the Admission to Primary and Secondary School Booklets 2014-15 and published as an amendment on the Council's website.

The revised Protocol will be shared with independent appeal panel members

for information.

Significant changes include a Panel process, with school leaders being the majority membership and facilitated by LA officers, and a school profile proforma to ensure that no school is required to admit a disproportionate share of children with challenging behaviour.

A two stage approach with good practice timescales has been set out. Children who are permanently excluded are included, should normal in year admission arrangements not secure a new school place, and appropriate provision may include an education offer at a Pupil Referral Unit.

f) If NO, do you plan to do so in 2013/14?

Tick as appropriate: Yes No

If **NO** explain why:

g) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2012/13 in placing children without a school place in schools in a timely manner. Include details of i) any specific problems that have been encountered in applying the protocol; ii) examples of particularly effective collaboration and working.

General Assessment:

The protocol has been used by the LA as the Admissions Authority as indicated below. (In Rotherham the PRUs were managed by the secondary school partnerships in conjunction with the LA prior to the changes to School Funding Arrangements in April 2013.) The PRUs provide an alternative curriculum offer for pupils who remain on roll of their home secondary school and, therefore, the Protocol did not apply in these instances). The Protocol has been more relevant for the transfer of pupils between Primary Schools as there are more pupils who fall into the relevant categories. Children of UK service personnel and other Crown Servants have also been placed under the protocol where places were available.

Any specific problems.

Children with challenging behaviour have required more complex negotiation where schools are themselves in challenging circumstances and/or on the border with other schools from other LAs in similar circumstances, even where they have surplus places.

Examples of particularly effective collaboration and working.

A significant number of new arrivals to the borough in Y11 resulted in other arrangements to be offered to parents and learners through a collaboration with schools, local FE college and work based learning providers. This has had better than expected outcomes for many learners in terms of accreditation and participation. Whilst reviewing the Fair Access Protocol, Head Teachers engaged with the process and a significant number have agreed to serve as members on the Fair Access Panels.

h) 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	Schools for pupils up to age 11	Schools for pupils over age 11
Community	10	7	0	0
Voluntary Controlled	0	0	0	0
Voluntary Aided	0	0	0	0
Foundation	0	0	0	0
Academy	0	0	0	0
Total	10	7	0	0

i) 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

j) 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 Secretary of State or after a referral to the Adjudicator?

Type of School	Number of children placed	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community	0	0
Voluntary Controlled	0	0
Voluntary Aided	0	0
Foundation	0	0
Academy	0	0
Total	0	0

k) Please add any other relevant information you wish to include in this section concerning Fair Access Protocols, for example, have you used the guidance issued by the Department for Education in November 2012 and has it proved useful?

The Guidance was used and was discussed at the Regional meeting of Admissions Officers. We understand that a collective response, which we agree with, was shared with the Department. The Guidance also prompted further research and the proposal to institute Fair Access Panels.

Co-ordination of admissions

A) During the normal admissions round:

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2013 in your local authority highlighting any particular strengths in the process and any problems.

Primary: The co-ordination of primary admissions for September 2013 has worked well. There are close established links between the LA, schools where the Governing Body is the Admissions Authority and neighbouring LAs. These links ensure that the process for parents/carers follow is clear and well defined.

Secondary: The co-ordination of secondary admissions for September 2013 has worked well. There are close established links between the LA, schools where the Governing Body is the Admissions Authority and neighbouring LAs. These links ensure that the process for parents/carers follow is clear and well defined. One neighbouring LA did have difficulties with its I.T. system which did affect the management of work flow of our Admissions Team but clear communication and updates were provided and situation was eventually resolved.

B) In-year admissions:

- a) How many requests for in-year admissions have been received since 1 September 2012?

Number of in-year admissions	
For pupils up to age 11	For pupils over age 11
2164	689

- b) Please comment on the effectiveness of in-year admission arrangements in your local authority.

The in-year admission arrangements work well. There are close established links between the LA, schools where the Governing Body is the Admissions Authority and neighbouring LAs. These links ensure that the process for parents/carers follow is clear and well defined. Clear and regular communication with identified school staff in particular is helpful when processing the in-year admission requests.

- c) From September 2013 in-year admission arrangements do not have to be co-ordinated by the local authority. Have you discussed with the own admission authority schools in your area the option of continuing

to co-ordinate in-year admissions?

Tick as appropriate: Yes No

- d) Will the local authority continue to co-ordinate in-year admissions for all schools in your area?

Tick as appropriate: Yes No

- e) If NO, how many own admission authority schools have elected to manage their own in-year admissions?

One.

This can cause difficulties in the LA's capacity to monitor in year applications, decisions, appeals and overall pupil movement. The Local Admissions Forum has expressed its concern that schools may not engage in effective data collection or ensure robust training for independent appeal panel members.

Admission Appeals

- a) Please provide details about the number of appeals lodged for admissions in September 2013.

	Number of Appeals					
	Lodged	Settled	Withdrawn	Heard	Upheld	Not Upheld
Pupils up to age 11	141	23	4	31	7	24
Pupils age 11-16	55	10	0	36	20	16
Pupils over age 16	0	0	0	0	0	0
Date up to which this information applies	24.6.13	24.6.13	24.6.13	24.6.13	24.6.13	24.6.13

Please note there will be an opportunity to update this data up until 31 August 2013 - the update form is attached as an appendix so that you can return separately if you wish at the end of August.

- b) Please add any comments about the appeals process in your area.

This information would be more meaningful once all the appeals during this Summer have been heard.

This information does not take account of any internal transfer appeals also taking place at the same time and relates purely for a September start for

Reception/Foundation Stage 2 and Year 7 only.

Other Issues

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally by 30 June.

a) Please indicate where or how a copy of the report can be obtained by a member of the public:

Tick as appropriate: Local authority website Hard copy Other

If other please state:

If not published by 30 June please provide details of when and where the report will be published:

b) 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”. Please describe the process that the local authority uses to assess whether the admission arrangements of own authority schools comply with the Code.

Annually, the LA requests schools who are their own admissions authority to forward a copy of their admission arrangements for inclusion in the Admission to Primary and Secondary School Booklets. We continue to consult annually on admission arrangements.

c) If any arrangements were thought not to be compliant, what action has the local authority taken to ensure own admission authority schools have admission arrangements that comply with the Code?

We respond via telephone, email and where necessary have face to face meetings with head teachers and admissions staff in schools to draw attention to specific clauses in the Code.

d) Are there any secondary schools in your area that give priority for attending named feeder primary schools?

Tick as appropriate: Yes No

e) If YES, are you satisfied that attendance at the named primary school(s) does not introduce what is in effect a pre-condition for gaining a place at the secondary school?

Tick as appropriate: Yes No

Please comment if appropriate:
The only category below attendance at a feeder school in the admissions oversubscription criteria is the distance category.

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.

Currently awaiting planning permission for two temporary classrooms at Broom Valley Community Primary School due to uncertainty around new arrival children numbers and the transient nature of their movement.

Infant Class size regulations make it difficult for some families who have young children attending more than one school. Benefit changes may impact on parental capacity to fund transport.

Remit Letter from the Secretary of State for Education to the Chief Adjudicator

The Secretary of State has asked that the Chief Adjudicator's annual report includes an assessment of the impact in local areas of having more own admission authorities and any implications for parental choice.

Does the local authority carry out any investigations into the impact for parents of having many or most or all schools in an area that are their own admission authority?

Tick as appropriate: Yes No

If **YES**, what was the outcome of the investigation:

If **NO**, are there any plans to monitor the impact for parents of having an increasing number of own admission authority schools:

There are no plans at present.

If the admission arrangements of individual schools are all considered to be lawful, is there any difficulty for parents in securing a place at a local school?

Tick as appropriate: Yes No

If **YES**, has the local authority considered what might be done to overcome any difficulties:

Infant Class size regulations make it difficult for some families who have young children attending more than one school. The expansion of school provision particularly in the centre of the town should alleviate some of the difficulties experiences.

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