



Office of  
the Schools  
Adjudicator

**LOCAL AUTHORITY REPORT**

**TO**

**THE SCHOOLS ADJUDICATOR**

**FROM**

**Buckinghamshire County Council**

**30 JUNE 2014**

## **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 2014.

<b>Type of School</b>	<b>Number of Schools for pupils up to age 11</b>	<b>Number of Schools for pupils over age 11</b>	<b>Number of all-through schools</b>
<b>Community</b>	101	4	0
<b>Voluntary Controlled</b>	23	0	0
<b>Voluntary Aided</b>	35	0	1
<b>Foundation</b>	13	3	0
<b>Academy</b>	10	25	1
<b>Free School</b>	0	2	0
<b>UTC</b>	N/A	1	N/A

Studio School	N/A	0	0
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## 2. Admission Arrangements for Admissions in September 2014

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 any problems that have arisen for these children while allocating places for admissions in September 2014, for example any admission arrangements for own admission authority schools that could be interpreted as implying the school has some discretion over the admission of children who have a statement that names the school or looked after children and previously looked after children other than the permitted exceptions.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: All schools in the county have given priority admission to looked-after children. There is also priority given within the Fair Access protocol. There have been no identified instances of LAC not being given a place at a preference school.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: The Council has some concerns about the complexity of the 'previously looked after child rule' and has had identified instances of pupils who were adopted abroad for example that it has not been possible to afford priority to under the rule as there is no UK documentation to demonstrate that they meet the criteria of this rule, yet had the circumstances been recorded in a UK court then they would have met the criteria.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: (without a statement). For 2014, following consultation, the council has moved the 'Social/medical' rule to a higher position (rule 2) in the admission arrangements. This change was introduced as a result of a small number of cases where there has been a clear social/medical reason for an out-area school preference but failed to be offered as all the catchment

children had not been admitted. The child was not admitted through the normal application of the rules but went on to make a strong case at appeal following which the Independent panel commented that the LA stance had been 'unreasonable.' The introduction of the change to make this rule 2 seems to have worked well and has the capacity to assist pupils with disabilities but without a statement if they have a preference for a school that can, more than others, meet their needs. They must still demonstrate that these needs are supported by a professional that knows the family.

(d) How well served are **children who have special educational needs and who have a statement of special needs** that names a school?

Tick as appropriate: Fully  In part  Not satisfactorily

Comments: Have a statement of special needs that names a school: The Council's SEN team manage these admissions and their usual stance is to allow the parent to express a preference if there is a choice of provision. However, where a parent does not choose the closest provision this can mean they are required to be responsible for transporting their child to their preferred provision.

(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: There is no particular assistance offered other than any assistance that might fall to be permitted under the social/medical rule.

### 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 2014 in your local authority highlighting any particular strengths in the process and any problems.

#### **Primary**

(a) How well has the first 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: The national offer date does provide for a higher public profile on allocation day, but this publicity is too late to alert parents of the need to apply.

ii) Any problems encountered this year?

Comments: Even within the new specified timescale different LAs set different latest dates for receipt of cross border coordination files.

## 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: See comment re primary date. The existence of a national date does ensure all LAs work towards the same outcome and clarity is provided for parents.

ii) Any problems?

Comments: As always National Offer Day is the last point in the process that there is any coordination – after the first allocation round neighbouring LAs have differing timescales for the consideration of late applications, changed preferences and new allocation rounds. This is disappointing and makes it very difficult to advise parents about managing the next steps if they are applying cross border.

(c) If you have any UTCs or studio schools in your area, do you coordinate 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: It is very limited – we manage the coordinated process for the Y10 admission point only. Having made the offers on behalf of the UTC on offer day, the UTC still had places and has made further offers without necessarily requiring the applicant to make application via the LA.

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 2013 and 15 June 2014?

For pupils up to age 11	For pupils over age 11	For Sixth Forms
2521	1164	Not known

- (b) Did you discuss with community and voluntary controlled schools the option of continuing to co-ordinate in-year admissions?

Tick as appropriate: Yes  No

Comments: Yes, with a presumption that if they did not formally advise us they were intending to opt out they would be opted in.

- (c) Did you discuss with own admission authority schools the option of continuing to co-ordinate in-year admissions?

Tick as appropriate: Yes  No

Comments: Yes, with a presumption that if they did not formally advise us they were intending to opt out they would be opted in.

(d) Will the local authority continue to co-ordinate in-year admissions for any schools?

Tick as appropriate: Yes  No

If **YES**, for which schools will it 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
<b>Community</b>	101	5	0
<b>Voluntary Controlled</b>	23	0	0
<b>Voluntary Aided</b>	21	0	0
<b>Foundation</b>	10	1	0
<b>Academy</b>	6	16	0
<b>Free School</b>	0	0	0
<b>UTC</b>	N/A	1	0
<b>Studio School</b>	N/A	0	0

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

Comments:

No information is held as the vast majority of schools will direct the parent to apply via the LA's co-ordinated scheme.

(f) How confident are you that the requirements of the Code at paragraph 2.22 for schools to keep the local authority informed about applications and the outcomes are being met?

Tick as appropriate: Very confident  confident  not confident

(g) 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

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

Comments: Through monitoring NOR info from all schools including the schools we do not coordinate with we can see that we are not always being advised about successful applications. We have set procedures with schools that are part of the coordinated process to notify us regarding vacancies. Broadly this works, although it requires manual records to be kept and good relationships with the schools need to be maintained.

In general, losing overall coordination in county has been a retrograde step – it has introduced further complexity into the process. The cross border in year process needed to be stopped but the in- county coordination should have remained to ensure Councils could meet their safeguarding obligations.

#### 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: We are not aware that any school in the area has explicitly refused to agree the Fair Access Protocol.

- 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
<b>Community</b>	0	0	0
<b>Voluntary Controlled</b>	0	0	0
<b>Voluntary Aided</b>	0	0	0
<b>Foundation</b>	0	0	0
<b>Academy</b>	0	0	0
<b>Free School</b>	0	0	0
<b>UTC</b>	N/A	0	N/A
<b>Studio School</b>	N/A	N/A	N/A

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

Comments:

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

Tick as appropriate:      Yes       No

e) If **NO**, do you plan to do so in 2014/15?

Tick as appropriate: Yes  No

If **NO** please say why not:

f) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2013/14 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

i) 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  occasionally No

Our FAB meeting is set up to consider placing pupils who had been permanently excluded and where they have been out of education and are hard to place. However, we have found that schools want to refer other cases via the panel ( e.g. children from abroad, Y11 admissions ) rather than accepting them, which has delayed placing some children particularly if the meetings are cancelled due to no excluded pupils requiring placement. To address this fewer meetings have been scheduled next year which will not be cancelled if there are no PX cases.

ii) Have you any examples of particularly effective collaboration and working? 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: The meetings are chaired by the PRU in the area and at one

meeting, when placing a child that had moved in from abroad and had been out of education the PRU agreed to take a child to assess their academic levels to see which year to place the child. We felt this was a positive outcome to resolve a difficult case. The FAB meetings were also a good venue to discuss issues around lack of school places in certain areas and to recognise the pressures this placed schools under.

- 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	8	2	0	0	0	0
Voluntary Controlled	1	0	0	0	0	0
Voluntary Aided	0	0	1	0	0	0
Foundation	2	15	0	0	0	0
Academy	2	37	0	0	0	0
Free School	n/a	0	0	0	0	0
UTC	N/A	0	0	N/A	0	0
Studio School	N/A	0	0	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	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

<b>Studio School</b>	N/A	0	0
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- j) 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 ([Link to advice](#)) and has it proved useful?

Comments: The FAB process has been reviewed in the light of the revised guidance and the work of the steering group has now been absorbed into the agenda for the area groups and this permits each group to discuss issues as and when they arise creating a sense of transparency and allowing decisions to be made quickly. However, this seems to be outside scope of the Fair Access Protocol.

We try to broker successful admissions and therefore if any school feels that the decision to ask them to admit is not appropriate then there will be a discussion, a review of the decision and either an alternative will be agreed or support identified to ensure that the child's needs are best met. We have not, as yet found it necessary to resort to directions.

## 5. Admission Appeals

- a) Please provide details about the number of appeals lodged for admissions in September 2014

	<b>Lodged</b>	<b>Settled</b> (offered a place through a waiting list or other means - not continuing with appeal)	<b>Withdrawn</b> (no place offered, but not proceeding with appeal)	<b>Appeals Heard</b>	<b>Appeals Upheld</b> (a place offered as a result of the appeal)	<b>Appeals Not Upheld</b> (appeal failed, no place offered)
<b>Pupils up to age 11</b>	190	0	0	0	0	0
<b>Pupils age 11-16</b>	611	122	59	302	74	228
<b>Pupils over age 16</b>	0	0	0	0	0	0
<b>Date up to which this information applies</b>	27 June 2014					

***Please note there will be an opportunity to update this data up until***

**31 August 2014 - the update form is attached as an appendix so that you can return it separately if you wish at the end of August.**

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

Comments: These figures include all appeals managed by the LA plus appeals held for academy schools direct but does not include appeals hear by the Oxford Diocese which will need to be submitted in the August update.

## 6. Other Issues

### A. Publication of the local authority's report

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 how:

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

Comments: The report will be placed on the web as soon as it is signed off/

### B. 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 by the local authority with schools that are their own admisison 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	0
Foundation	0	0	0
Academy	0	0	0
Free School	0	0	0

<b>UTC</b>	N/A	0	0
<b>Studio School</b>	N/A	0	0

- 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
<b>Voluntary Aided</b>	22*	0	1*
<b>Foundation</b>	12*	0	0
<b>Academy</b>	6*	10*	0
<b>Free School</b>	N/A	2*	0
<b>UTC</b>	N/A	1*	N/A
<b>Studio School</b>	N/A	N/A	N/A

\* a checking exercise is currently being undertaken. The omissions are predominantly where schools have not changed their admission rules for 2015 intake from those used for 2014.

### C. 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
<b>Community</b>	0	0	0
<b>Voluntary Controlled</b>	0	0	0
<b>Voluntary Aided</b>	0	0	0
<b>Foundation</b>	0	0	0

<b>Academy</b>	0	2	0
<b>Free School</b>	0	0	0
<b>UTC</b>	N/A	0	0
<b>Studio School</b>	N/A	0	0

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

Comment: These two withdrawn offers are due to a particularly stringent academy admission rule regarding the disposal of previous property within a certain number of miles. This is something for that particular academy to ensure that parents are provided with an appropriate supplementary form to collect the extended residence information that they require. For everyone else the LA collects address evidence which it combines with pupil data already held to ascertain any false claims of address.

#### **D. Summer born children**

The DfE issued guidance in July 2013 “Advice on the admission of summer born children” for local authorities, school admission authorities and parents ([Link to advice](#)). 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 refers 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

If **YES**, how many requests did you receive for admission to a Reception class for a child who had reached the normal age for Year 1?

Number: **13**  
 This is still ongoing. The applications we have received are from parents who want to delay admission to reception for a year but have initially applied through this year’s intake ( rather than parents of Y1 age children applying to reception a year late)  
 It is difficult to provide the data in this format as parents made multiple applications to be out of year group so we approached 27 schools to date for these cases

How many were subsequently agreed?

Number:10 so far  
 2 in progress

1 refused by all three schools approached. We did advise heads if multiple applications were received so they could consult colleagues before coming to a communal decision.

(ii) For own admission authority schools: Yes  No

If **YES**, how many requests were received for admission to the Reception Year for a child who had reached the normal age for Year 1?

Number: 5 (included in the 27 schools referred to above) but again this was for children who were of reception age and wanted to delay admission to reception until the child was older.

How many were subsequently agreed?

Number:4 but see above

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

Comments: Examples are:  
parental belief (some were teachers themselves),  
experiences of older child also summer born,  
'because I can' and I think it would benefit my child.

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

Comments: The advice is generally unhelpful as the placing of a child out of year group should have clear guidance with educational criteria before agreement is given. Where schools have agreed it is not because they agree it is sensible for the child it is because they can find no way of disagreeing with the parents reasons.

### **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 2014?

(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: The published guides give the admission numbers for Y7 and sixth form admissions, and a summary of the admission rules for Y7 admission. The website has a policy section where the complete admission rules for all secondary schools are either provided as a download or link to the schools own website. SIFs, where required at secondary age, are provided on the website to download.

(b) If the requirements of the regulations were not met for admissions in 2014, how will they be met for admissions in 2015?

Comments:

## **F. Admission Forum**

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

Tick as appropriate:            Yes             No

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

Comments:

How often does this forum meet?

Comments:

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

Comments:

### **G. Local Authority Issues**

- (a) 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:

The opening of Sir Thomas Fremantle School in a rural area of North Bucks with surplus places has led to greater surpluses than we planned to have and will, in our view, result in surplus places that, over time, have the potential to impact on the viability of schools.

Following the opening of the Khalsa Academy as it did not fill, we sought to treat the school as any other school and placed pupils into the school where it was the nearest school with a place. This led to complaints from parents about the differences at the academy for example with regard to the provision of a vegetarian diet at lunchtimes.

The opening of both free schools impacted on the application of the home to school transport policy, as it resulted, for families living close to the new schools sites, still seeking places at the alternative schools serving the area were no longer entitled to transport under the 'nearest school' rule.

2014 is the first year of intake for grammar schools using the new Secondary Transfer test process. The grammar schools have continued to work together in conjunction with the local authority and as a result the co-ordinated arrangements for the test have continued. The test sets the same standard for entry for all the grammar schools and all children in local schools are opted-into the test (unless their parent chooses to opt-out ), ensuring that they have the opportunity to sit the test, in most cases, in their primary school. A monitoring process will be put in place to evaluate the impact of the new test.

**Thank you for completing this report.**

**Please email your completed report to: [OSA.TEAM@OSA.GSI.GOV.UK](mailto:OSA.TEAM@OSA.GSI.GOV.UK)**