



Office of
the Schools
Adjudicator

Local Authority Report

To

The Schools Adjudicator

From

Walsall Local Authority

30 June 2017

Report Cleared by (Name & Title): David Haley, Executive Director: Children's Services

Date submitted: 30 June 2017

By (Name & Title): Kate Mann, Service Manager – Admissions and Pupil Place Planning

Contact email address: kate.mann@walsall.gov.uk

Telephone number: 01922 652585

www.gov.uk/government/organisations/office-of-the-schools-adjudicator

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

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

The Virtual School in Walsall works closely with the Admissions and Pupil Place Planning Team to ensure that looked after children attend the best possible school to meet their needs.

In a situation where a school refuses to admit or delays the admission of a child in care the Admissions and Pupil Place Planning Team will intervene. Schools are requested to exceed their published admission numbers to admit looked after children where necessary and the Local Authority will use its powers of direction to direct the admission of a looked after child when schools are otherwise unwilling to admit. The Local Authority has on occasion directed other Local Authorities to admit looked after children and will continue to do so when necessary.

The Virtual School liaise with a number of admission authorities and local authorities in relation to school admissions. The majority have protocols and procedures in place to ensure that looked after children are placed in schools without delay, but a small number of authorities outside of Walsall still expect looked after children to go through the appeals process or through fair access in order to be admitted. In some cases this creates a delay in admission and can even result in looked after children being placed on waiting lists.

As a way forward it would be useful to have a West Midlands Admissions policy for looked after children that all admission authorities and local authorities adhere to.

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

At present the Local Authority has a five year plan looking at the Commissioning of Special School Places. The Local Authority has identified additional places required in Special Schools particularly in Key Stage 1. Additional places will be provided from September 2017.

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?

Walsall Local Authority consults annually on its admission arrangements. The most recent consultation was completed in 2017 for the admission arrangements for 2018/19

- 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.

Information provided on the Council's Twitter feed

Other (please specify)

Posters in supermarkets, doctors' surgeries, early years health centres and similar

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			X	
e. Academy			X	
f. Free	N/A	N/A	N/A	N/A
g. UTC	N/A	N/A	N/A	N/A
h. Studio			X	
<p>In general Walsall Schools which are their own admission authority publish details of their proposed admission arrangements on the school's own website throughout the consultation period. There are however concerns that some schools do not publish this information during the whole of the consultation process. The Local Authority sent reminders to schools about the consultation process during September 2016 and will do so again in 2017.</p>				

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:

The Local Authority did not consult on any of the pupil premiums.

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):

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):

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;
- X 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;
- X 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	0
i. Service premium	0	0
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	0	0
m. Academy	0	0	0	0	0
n. Free	0	0	0	0	0
o. UTC	N/A	N/A	N/A	0	0
p. Studio	N/A	N/A	N/A	0	0

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	0	0
s. Academy	0	0	0	0	0
t. Free	0	0	0	0	0
u. UTC	N/A	N/A	N/A	N/A	N/A
v. Studio	N/A	N/A	N/A	0	0

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?

8 February 2017

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

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	0
e. Academy	0	0
f. Free	0	0
g. UTC	N/A	0
h. Studio	N/A	0
<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>The greatest concern over non compliance relates to the consultation and determination process itself. Some schools have been slow to become familiar with the changes in the consultation timetable despite a number of communications from the Local Authority in 2015/16 and 2016/17 reminding them of the revised procedure. In particular there have been issues with admission authorities failing to provide copies of their determined admission arrangements by 15 March.</p>		

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 Year 3 – Infant to Junior				X
<p>The coordinated admission process worked well for all three admission rounds. Outcomes for primary and secondary were in line with previous years with 95.57% of parents receiving an offer of one of their top three preferences for Reception and 91.7% of parents receiving an offer of one of their top three preferences for Secondary on the national offer dates. The Local Authority made an error with offers for one Walsall secondary school which resulted in 3 places being offered in error. At the request of the school, which is its own admission authority, all 3 places were withdrawn and the children were given the offer that should have been made to their child on the offer date had the error not occurred.</p>				

<p>d. 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>In Walsall there has been a small increase in the current year in the number of primary academies and the Local Authority is no longer the admission authority for any of the secondary schools in the borough. The increase in the number of schools for which the governing body or academy has not a significant impact on the coordination of the Primary and Secondary admission rounds which work well. There are concerns about how some of the schools which are their own admission authority manage the consultation and determination of their admission arrangements and it is evident that some schools are still not aware of the new timetable for this process or of the requirement to provide copies of determined arrangements to the LA and publish them on their website.</p> <p>There are also concerns that schools do not comply with the requirement to provide details of pupil numbers and details of midyear admission applications and outcomes to the Local Authority on a regular basis.</p>
--

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
e. Community	46	N/A
f. Voluntary controlled	8	N/A
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
g. Voluntary aided	0	0
h. Foundation	0	0
i. Academy	0	0
j. Free	0	0
k. UTC	N/A	N/A
l. Studio	N/A	0

a. What do you consider to be the advantages and disadvantages of this?

Walsall Local Authority does not currently coordinate midyear admissions for any of the schools in the borough. The authority issues a common application form which parents can use to apply for a place at any school, but parents apply directly to their preferred schools. The only real advantage of this process is that schools receive each application immediately and, in some cases are able to admit the child the same day.

Schools are required to provide details of their vacancy numbers and of all midyear applications received and their outcomes to the Local Authority on a weekly basis. However, this has provided to be a disadvantage of the process as not all schools provide the information promptly and some rarely provide this information.

It is also a concern that some parents do not contact the local authority to discuss the midyear admission process until they have already submitted unsuccessful applications to a number of schools with a resultant delay in identifying children who have moved into the area and are without a school place.

In order to address safeguarding concerns relating to the current procedure the Local Authority will resume coordination of midyear admissions for all Walsall schools in September 2018 and has determined its admission arrangements for community and voluntary controlled schools and the scheme for coordinated admission arrangements for 2018/19 accordingly.

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	3	1	0	0
Foundation	0	0	0	0
Academy	13	9	0	2
Free	0	0	0	0
Studio	N/A	0	N/A	0
UTC	N/A	N/A	N/A	N/A

c. 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

d. Please describe your areas of concern, if any:

Some academies still appear to be unaware of the requirements which are placed on them under the School Admission Appeals Code. It appears that some academies do not fully appreciate that they are *'their own admission authority'*.

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

Walsall Local Authority has had a Fair Access Protocol in place since 2005. The Fair Access Protocol was recently reviewed and a new Secondary Fair Access Protocol was implemented in October 2016 and a new Primary Fair Access Protocol was implemented in January 2017. The data given below relates to pupils placed since the implementation of the new Fair Access Protocols.

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	13	N/A	0	N/A
Voluntary controlled	0	N/A	0	N/A
Voluntary aided	5	5	0	0
Foundation	1	1	0	0
Academy	5	40	0	3
Free	N/A	N/A	N/A	N/A
UTC	N/A	N/A	N/A	N/A
Studio	N/A	1	N/A	0

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.

The new Primary and Secondary Fair Access Protocols have been introduced during the current school year and are still embedding. As a result of the new protocols placements are identified more quickly for hard to place children than previously and there has been a reduction in the number of children missing education as a result. The procedure for issuing school attendance orders has also been revised to include a referral to the Fair

Access Panel for identification of a school to be named in the order and this has improved the process ensuring that the issue of the order is not undermined by any delay in identifying a destination school.

Two Year 11 children who moved to live in the borough from elsewhere in the UK during the Spring Term were placed at secondary schools by the panel and were able to sit their GCSE exams as a result. Another pupil who moved to live in Walsall from outside the UK who speaks no English was placed by the panel at a Walsall secondary school which has drawn up a specialised programme to support his admission.

The protocol has also enabled the Local Authority to track the movement of pupils transferring between schools on managed moves.

Some procedures are still embedding at present and the Local Authority is working to ensure that all schools understand that they must refer hard to place children to the Fair Access Panel promptly if they are unable to admit them. The Local Authority is not confident at present that this process is being followed or that the number of children refused admission under the Fair Access Protocol given in section 8.c of the report accurately represents the full picture.

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

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
c. Community	0	0
d. Voluntary controlled	0	0
e. Voluntary aided	0	0
f. Foundation	0	0

The Local Authority will always use its powers of direction if it is necessary to do so. The authority has previously directed other admission authorities to admit looked after children and children who are not looked after, but it has not been necessary to do so during the specified period.

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
g. Academy	0	0	0	0
h. Free	N/A	N/A	N/A	N/A
i. Studio	N/A	N/A	0	0
j. UTC	N/A	N/A	N/A	N/A
To date the Local Authority has not had to make any requests for directions to the DFA, however the local authority has issued 4 letters during this period to schools warning them of the intention to direct and it is possible that two of these will result in request to the EFA for the directions for academies to admit before the end of the summer term				

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@osa.gsi.gov.uk by 30 June 2017