



Office of  
the Schools  
Adjudicator

**Local Authority Report**

to

**The Schools Adjudicator**

from

**North East Lincolnshire Local Authority**

to be provided by

**30 June 2019**

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**Date submitted:** 25<sup>th</sup> June 2019

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by **30 June 2019 and earlier if possible**

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## Introduction and guidance on completing the report

1. 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 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 matters. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2019**.
2. Please note that the specified date for returning this form by 30 June is a Code requirement; this is why some data are asked for by financial year.
3. We have made some changes to the information and categories of information sought this year:
  - a. we have removed references to “all through” schools and instead would be grateful if local authorities would follow the approach used in statutory provisions and in the Department for Education Statistical First Release<sup>1</sup> and the Education Middle School (England) Regulations 2002<sup>2</sup>, and
  - b. we have decided not to use the term “own admission authority schools” to mean those schools for which the local authority is not the admission authority (that is foundation, voluntary aided and academy schools). This is because a large number of arrangements are now determined by multi-academy trusts. We will therefore refer to ‘schools for which the local authority is not the admission authority’.
4. Local authorities will notice that we have not included this year a number of questions which have been asked in past years. This is because we judge that we are unlikely to receive much information that adds to the existing body of knowledge and do not wish to take up local authorities’ time unnecessarily. We have not asked:
  - a. for details of the particular provisions of admission arrangements determined by other admission authorities challenged by local authorities;
  - b. local authorities’ views of how well the interests of children with special educational needs or disabilities are met at the normal points of admission;
  - c. about the advantages and disadvantages of co-ordinating in year admissions;
  - d. about the reliance on paragraph 3.12 of the Code by other admission authorities in the local authority’s area;
  - e. for information about admission authorities’ approaches to deciding whether or not they had places available in year; or

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<sup>1</sup> [Department for Education Statistical First Release](#)

<sup>2</sup> [The Education Middle School \(England\) Regulations 2002](#)

- f. for the number of children refused admission to a school under the fair access protocol.

Local authorities are, of course, free to comment on any of these matters if they wish to do so under section 6. The views expressed by local authorities in previous years also remain a matter of public record.

5. We are asking new questions this year about:

- a. the proportion of schools with other admission authorities in the local authority area for which the local authority ranks preferences for the schools concerned on the admission authorities' behalf;
- b. use of oversubscription criteria which give priority to children adopted having previously been in care abroad; and
- c. how well served are children who are looked after by another local authority but being educated in the area of the local authority submitting the report.

6. We continue to ask about the use of the premiums in admission arrangements but have provided further guidance on this in footnote 11. In particular, we ask local authorities to include in their responses schools using part of any of the premiums (such as free school meals eligibility). Please consider this footnote before answering the questions on this matter.

## Information requested

### Section 1 - Normal point of admission

#### A. Determined arrangements

- i. Please give the date your local authority determined arrangements for admission in 2020 to its voluntary controlled and community schools.

28/02/2019

- a. This local authority has no community or voluntary controlled primary schools (please tick box if this applies)
- b. This local authority has no community or voluntary controlled secondary schools (please tick box if this applies)

- ii. Please specify the date the determined arrangements for voluntary controlled and community schools were published on the local authority's website.

15/03/2019

- iii. Please provide a link to where the admission arrangements can be viewed on the local authority's website on publication.

<https://www.nelincs.gov.uk/schools-and-education/school-admissions/school-admission-2020-2021/>

iv. What proportion of arrangements for schools for which the local authority is not the admission authority was provided to the local authority by 15 March 2019?

None       Minority       Majority       All

	Primary	Secondary
v. How many sets of admission arrangements of schools for which the local authority is not the admission authority were queried directly by your local authority because they were considered not to comply with the Code?	0	0
vi. Please provide any comments on the determination of admission arrangements not covered above.  There are no issues with the determination of admission arrangements in North East Lincolnshire.		

## B. Co-ordination

i. Provision of rankings:

a. What proportion of schools for which the local authority is not the admission authority provided their rankings correctly undertaken by the agreed date?

None       Minority       Majority       All

b. For what proportion of schools with other admission authorities in the local authority's area did the local authority rank preferences expressed for those schools in 2019?

None       Minority       Majority       All

ii. Please provide any comments you wish to make in respect of provision of rankings:

In North East Lincolnshire the LA rank the preferences of the majority of schools but also check the rankings of those schools that rank their own preferences.

iii. Does the local authority charge schools for providing rank preferences?

Yes     No

iv. Does the local authority rank preferences for other admission authorities in OTHER local authority areas and, if so, for how many schools?

No
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v. 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
Reception				x
Year 7				x
Other relevant years of entry				N/A
vi. Please give examples to illustrate your answer:				
There were no issues with the coordination of the primary first admissions, infant to junior or secondary phased admissions rounds in North East Lincolnshire				

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

i. How well does the admissions system 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<sup>3</sup>

ii. How well do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission**?

Not at all    Not well    Well    Very well    Not applicable<sup>3</sup>

iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area at **normal points of admission**?

Not at all    Not well    Well    Very well    Not applicable<sup>3</sup>

iv. How well does the admissions system in your local authority area serve the interests of previously looked after children at **normal points of admission**?

<sup>3</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

Not at all  Not well  Well  Very well  Not applicable<sup>3</sup>

v. Priority in admission arrangements for 2020 for adopted children previously in care abroad.

a. Do the arrangements for any **community or voluntary controlled primary** schools include this priority for 2020?  Yes  No

If yes please provide the number of community or voluntary controlled primary schools that include this priority.

N/A

b. Do the arrangements for any **community or voluntary controlled secondary** schools include this priority for 2020?  Yes  No

If yes please provide the number of community or voluntary controlled secondary schools that include this priority.

N/A

c. Do the arrangements for any primary schools for which the local authority is **not the admission authority** include this priority for 2020?  
 Yes  No

If yes please provide the number of primary schools for which the local authority is **not the admission authority** that include this priority.

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d. Do the arrangements for any secondary schools for which the local authority is **not the admission authority** include this priority for 2020?  
 Yes  No

If yes please provide the number of secondary schools for which the local authority is **not the admission authority** that include this priority.

N/A

e. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish.

In North East Lincolnshire one Multi Academy Trust which has 8 primary schools in the area and the Nottingham Catholic Diocese which has 2 primary schools in the area have adopted these criteria. The LA has liaised with regional colleagues with regard to these criteria and decided against adopting it, this is along with the majority of regional LAs, until it becomes an element of the stature.

vi. Please give any examples of good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at the **normal points of admission**:

All schools in North East Lincolnshire give priority to looked after and previously looked after children in their admission arrangements.

## D. Special educational needs and disabilities

i. Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at the normal points of admission:

Although children with special educational needs and/or disabilities without an EHCP are not given priority at the normal points of admission, they are neither advantaged nor disadvantaged.

## Section 2 - In year admissions<sup>4</sup>

### A. The number of in year admissions

i. Do you know the number of in year admissions to primary schools in your local authority area?  Yes  No

ii. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:

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<sup>4</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 after the end of the statutory waiting list period in normal years of admission.

- Schools with other admission authorities are not complying with the requirement in paragraph 2.22 of the Code to notify the local authority of applications for places and the outcome;
- The local authority does not use the information provided by schools with other admission authorities to collect the numbers of in year admissions; and/or
- other? 

(please specify)
N/A

iii. Do you know the number of in year admissions to secondary schools in your area?  Yes  No

iv. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:

- Schools with other admission authorities are not complying with paragraph 2.22 of the Code;
- The local authority does not use the information provided by schools with other admission authorities to collate the numbers of in year admissions; and/or
- other? 

(please specify)
N/A

v. If the local authority does know the number of in year admissions to state funded schools in its area, please complete the following table.

	Primary aged children	Secondary aged children
Number of in year admissions between 1/9/17 and 31/8/18	1,464 (requests) 746 (admitted)	904 (requests) 204 (admitted)
Number of in year admissions between 1/9/18 and 31/3/19	1,052 (requests) 546 (admitted)	492 (requests) 125 (admitted)

## B Co-ordination of in year admissions

- i. To what proportion of community and voluntary controlled schools did the local authority delegate responsibility for in year admissions in the academic year 2018/19?

- a) Primary:  Not applicable<sup>5</sup>  None  Minority  Majority  All  
b) Secondary:  Not applicable<sup>5</sup>  None  Minority  Majority  All

ii. For what proportion of schools for which the local authority is not the admission authority does the local authority co-ordinate in year admissions?

- a) Primary:  None  Minority  Majority  All  
b) Secondary:  None  Minority  Majority  All

iii. Please provide any comments on the co-ordination of in year admissions if you wish.

North East Lincolnshire Local Authority feels that with the local authority coordinating in year admissions for community and voluntary controlled primary schools, parents/carers have one point of contact, enabling applications to be dealt with quickly and the local authority is able to quickly identify and track those pupils moving into the area and keep up to date and accurate records of which community and voluntary controlled primary schools have places in each year groups.

Although, the local authority has not coordinated all in year admissions across the whole of the primary or secondary sector since the removal of the statutory duty to coordinate in year admissions, it is known that the removal of such has resulted in parents/carers having to approach both the local authority and / or a number of academies separately, particularly in the secondary sector. This has resulted in inconsistencies i.e. varying timescales on academies acknowledging applications; making formal decisions on applications; and facilitating any subsequent appeals, which has caused delays in children being out of school when they are new or returning to the area and don't have a school place. This can cause parents/carers to experience frustrations and inconsistencies in the process. Further delays can be caused for those children/young people who are in years 9, 10 and 11 as secondary academies in the area often advise of their inability and or reluctance to offer places due to the potential impact on exam results and or inability to match key stage 4 courses started elsewhere.

## C Looked after children and previously looked after children

i. How well does the in year admissions system serve children who are looked after by your local authority and who are being educated in your area?

- Not at all  Not well  Well  Very well  Not applicable<sup>6</sup>

<sup>5</sup> 'Not applicable' will only be appropriate if the local authority has no community or voluntary controlled primary/secondary schools.

<sup>6</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

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

Not at all Not well Well Very well Not applicable<sup>6</sup>

iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area?

Not at all Not well Well Very well Not applicable<sup>6</sup>

iv. How well does your in year admissions system serve the interests of previously looked after children?

Not at all Not well Well Very well Not applicable<sup>6</sup>

v. Please give examples of any good or poor practice or difficulties which support or exemplify your answers about looked after and previously looked after children:

In North East Lincolnshire we do not experience any problems with the admission of looked after and previously looked after children at the normal points of admission. In year admissions can sometimes prove a little more difficult dependent on whether the school has places or the pupil has any additional social, emotional or behavioural needs. However, any difficulties are usually overcome by having discussions / meetings with the preferred schools/academies and supporting the transition.

## D Children with special educational needs and/or disabilities

i. How well served are children with special educational needs and/or disabilities who have an education health and care plan that names a school when they need to be admitted in year?

Not at all Not well Well Very well Not applicable<sup>7</sup>

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

Not at all Not well Well Very well Don't know

iii. Please give examples of good or poor practice or difficulties which support or exemplify your answers:

<sup>7</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

Within the Special Educational Needs Assessment and Review Team (SENART) we are seeing an increasing trend of receiving negative responses from schools/academies to consultations for admission both at the normal point of entry and in year.

In endeavouring to resolve the issues SENART provide a robust response outlining the legal position of the school in declining the request for admission. We explain the LA is willing to work with the school/academy and seek discussion informally or via Disagreement Resolution with our commissioned provider.

We see an increase in requests for Special Schools, which are full. We are consulting with neighbouring authorities but this has largely not been successful. The responses from schools/academies mean we have to invest increasing amounts of time securing suitable education placements for vulnerable young people with EHC Plans.

The SEN Services Manager is looking to work together with providers with a view to developing alternative local options to meet the needs of children and young people with EHC Plans.

With regards to children with special educational needs and/or disabilities who do not have an education health and care plan; these children are usually well served when requiring a school place in year. The school admissions team will endeavour to collect all the information about the pupil's needs in order to ensure that the receiving school can put into place any necessary adjustments / support that may be required.

## E Other children<sup>8</sup>

- i. How well served are other children when they need a new school place in year?

Not at all  Not well  Well  Very well  Don't know

- ii. Please provide any comments you wish to make in respect of other children:

In North East Lincolnshire within the primary sector there are very few issues for children who need a new school place in year. Although there are some areas where places are limited, most children are offered a place in a timely manner, within a reasonable distance from home.

In the secondary sector, especially in KS4, there are often delays for those children seeking place in year. This may be due to a lack of places, but can often be due to academies delaying making decisions on applications or refusing admission even when places are available. Academies will quote

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<sup>8</sup> Other children are those not looked after, previously looked after or with special educational needs and/or disabilities.

'effect on the provision of efficient education or the efficient use of resources' due to attendance, differing curriculum, behaviour issues, Ofsted categories or similar issues as a reason for refusing admission. Although the Local Authority do challenge academies on reasons for refusal it is only when parents appeal the decisions that they may be overturned. This delay and refusal also results in a number of secondary cases being referred to Fair Access Panel.

## F Fair access protocol

- i. Has your fair access protocol been agreed<sup>9</sup> with the majority of state-funded mainstream schools in your area?

- Yes for primary  
 Yes for secondary

- ii. If you have not been able to tick both boxes above, please explain why:

- iii. How many children were admitted to schools in your area under the fair access protocol between 1 April 2018 and 31 March 2019?

Type of school	Number of children admitted	
	Primary aged children	Secondary aged children
Community and voluntary controlled	0	N/A
Foundation, voluntary aided and academies	0	33
Total	0	33

- iv. 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<sup>10</sup>

Please make any relevant comment on the protocol not covered above.

In North East Lincolnshire it is expected that the normal in year admissions process is applied before a referral is made to the Fair Access Panel (FAP). This can at times be complex, particularly with secondary applications as all of the local authority's secondary schools are academies and the majority administer their own in year admission applications. Therefore, due to the removal of statutory in year

<sup>9</sup> An existing protocol remains binding on all schools up until the point at which a new one is adopted.

<sup>10</sup> 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

coordination, parents/carers may have to apply, wait for decisions and appeal for a number of schools / academies before the local authority are aware of them; or are able to gather relevant information; evidence the unsuccessful applications; and refer them to the FAP.

The secondary FAP has recently been revised to include EHE pupils wishing to return to mainstream education shortly after being removed from roll. There had been a significant increase in these types of cases and it was felt that a direct referral to FAP would lessen the time a pupil was out of school.

North East Lincolnshire Local Authority also has primary and secondary Behaviour and Attendance Collaboratives (BACs) that run alongside the FAP. The BACs are used as to facilitate managed moves and place permanently excluded pupils either into other mainstream schools / academies or in alternative provision.

### **Section 3 - Directions**

<b>A.</b> How many directions did the local authority make between 1 April 2018 and 31 March 2019 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	0	0	0	0
<b>B.</b> Please add any comments on the authority's experiences of making directions in these circumstances. N/A				

<b>C.</b> How many directions did the local authority make between 1 April 2018 and 31 March 2019 for a maintained school in another local authority area to admit a looked after child?	
For primary aged children	For secondary aged children
0	0
<b>D.</b> Please add any comments on the authority's experiences of making directions in these circumstances. N/A	

<b>E.</b>	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
How many requests to the ESFA to direct an academy to admit a child did the local authority make between 1 April 2018 and 31 March 2019?	0	0	0	0
How many children were admitted to an academy school as a result of the request for a direction by the local authority to the ESFA between 1 April 2018 and 31 March 2019?	N/A	N/A	N/A	N/A
How many requests were outstanding as at 31 March 2019?	N/A	N/A	N/A	N/A
<b>F.</b> Please add any comments on the authority's experiences of requesting directions in these circumstances.  N/A				

<b>G.</b> Any other comments on the admission of children in year not previously raised.  N/A
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## **Section 4 - Pupil, service and early years pupil premiums (the premiums)<sup>11</sup>**

<sup>11</sup> Please include in these figures all schools whose arrangements give priority on the basis of eligibility for one or more of the premiums or part thereof except where the only sub-group is looked after and previously looked after children as all schools must give first priority to these children. Admission authorities can limit priority to specific sub-groups of those who attract a premium. Examples are:

<b>A. How many community or voluntary controlled schools</b> in the local authority area will use each premium as an oversubscription criterion (including the tiebreaker) for admissions in 2020?	Primary	Secondary <sup>12</sup> <u>excluding</u> grammar	Grammar <sup>12</sup>
Early years pupil premium	0	N/A	N/A
Pupil premium	0	0	N/A
Service premium	0	0	N/A
Total number of schools using at least one premium in their oversubscription criteria	0	0	N/A

<b>B. How many schools for which the local authority is NOT the admission authority</b> in your area will use each premium as an oversubscription criterion (including the tiebreaker) for 2020?	Primary	Secondary <sup>12</sup> <u>excluding</u> grammar	Grammar <sup>12</sup>
Early years pupil premium	0	N/A	N/A
Pupil premium	0	0	N/A
Service premium	0	0	N/A
Total number of schools using at least one premium in their oversubscription criteria	0	0	N/A

## **Section 5 - Electively home educated children**

- children of parents who are currently serving in the UK regular armed forces (rather than all children who attract the service premium); or
- children who are eligible for free school meals at the time of application (rather than all children who attract the pupil premium).

If such sub-groups have priority at any point within the oversubscription criteria, they should be included in the totals for this table even if there is no specific use of the terms, 'pupil premium,' 'early years premium' or 'service premium' in the arrangements. Paragraphs 1.39A and 1.39B of the Code provide the relevant exceptions to paragraph 1.9f (which prohibits giving a priority to a child according to the occupational or financial status of parents applying).

<sup>12</sup> Do not include use in post 16 arrangements

**A.** How many children were recorded as being electively home educated in the local authority area on 29 March 2019?

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**B.** Any comments to make relating to admissions and children electively home educated that you have not previously raised?

Overall, parents of primary age children are able to access school places in a timely way following a period of elective home education.

The context for parents of secondary age children is very different when applying to local academies:

From Years 7 upwards there is a reluctance to readily admit children who have had a period of EHE, however brief. This becomes much more acute for students wanting an academy place in Year 9 or later. At this stage parents need much more support to access a school place: this includes direct help with the appeals process as many initial applications are declined by academies

The LA has needed to use the FAP process on at least 10 occasions since September 2017 to secure a place on an academy roll.

## **Section 6 - Other matters**

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

North East Lincolnshire have a 14-16 provision that is part of the local FE provider so as such is not a UTC or studio school and therefore does not have to adhere to the Admissions Code. Issues have arisen with pupils starting at the provision, attending for 1 or 2 terms and then wanting to return to a mainstream school. We have a number of students being removed from roll after 20 days of non-attendance as per FE funding regulations or being permanently excluded from the FE provider offering 14-16 education, these exclusions also sit outside statutory guidance. These pupils often have associated attendance, behaviour issues and sometimes unmet SEN needs. All such cases are now included in the Fair Access Protocol but the secondary academies are becoming very reluctant to admit due to a range of factors aligned to KS4, resulting in some vulnerable students being out of education for long periods of time.

## **Section 7 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2020.

The form offers a concise format to provide update to date and relevant information pertaining to school admissions.

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@schoolsadjudicator.gov.uk](mailto:OSA.Team@schoolsadjudicator.gov.uk) by 30 June 2019