



Office of  
the Schools  
Adjudicator

**Local Authority Report**  
**To**  
**The Schools Adjudicator**  
**From**  
**Brent Local Authority**

**30 June 2017**

**Report Cleared by (Name & Title): Brian Grady, Operational Director, Safeguarding, Partnerships & Strategy, Children and Young People**

**Date submitted: 30 June 2017**

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**[www.gov.uk/government/organisations/office-of-the-schools-adjudicator](http://www.gov.uk/government/organisations/office-of-the-schools-adjudicator)**

**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto: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

Please give examples of good or bad practice or difficulties which support your answer and provide any suggestions for improvement:

In relation to other local authority areas, generally it is a matter of delay. LA admissions often want to consult with schools rather than use the powers of the code.

## 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

Please give examples of good or bad practice or difficulties which support your answer and provide any suggestions for improvement:

Schools can be reluctant to admit children without statements without a commitment from the authority to provide additional resource to support the children's needs.

Children newly arrived in the area who have obvious and significant needs, but are yet to be assessed for EHCP, can take time to place in schools for similar reasons. The authority is developing an assessment arrangement with one of our special schools to speed up processes.

## 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?

Please provide the year.

For 2017/18 academic year

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.
- Posters in supermarkets, doctors' surgeries, early years health centres and similar
- Other (please specify)

A public notice was placed in the local press. Two public meetings were arranged, one daytime and one evening meeting. All Brent schools, children's centres, other local authorities and other statutory bodies were consulted as required by the Admissions Code. Information was provided on the admissions pages of the council's web site, on the consultation portal and promoted through The Brent Magazine and social media.

How confident are you that other admission authorities in your area are consulting parents properly as	Not at all confident	Many concerns	Few concerns	Completely confident
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required by paragraph 1.44a of the Code?				
c. Voluntary aided			X	
d. Foundation			X	
e. Academy			X	
f. Free			X	
g. UTC			N/A	
h. Studio			N/A	
Please give examples of good practice by schools that are their own admission authority. Examples of good practice in consulting with parents whose children are under compulsory school age will be particularly welcome.				

#### 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:
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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
- Other (please explain):

Consultation took place around the introduction of this rule for admissions in 2017 but it was not adopted because research revealed that Brent community schools already admit a proportion of Pupil Premium children which reflect the demographics of the local area. There was a low level of support for this proposal from the public.

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;
- 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;
- 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	2	1	1		
r. Foundation					
s. Academy	2	2	2		
t. Free					
u. UTC	N/A	N/A	N/A		
v. Studio	N/A	N/A	N/A		

w. Do you have any further comments with regards to the pupil premiums in addition to the above?

In the case of the two academies noted in the table above, the premiums are used only for admission to the nursery and not for admission to Reception.

## 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?

13 February 2017

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

15 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
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?		
None		

- j. Further comment: please provide any examples or views regarding the determination of admission arrangements that have not been covered above

## 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 (please specify)				
d. Please give examples to illustrate your answer:				
<p>Other authorities sometimes provide late advice about errors in ranking. The Authority also received late advice from DfE about a Free School not opening in 2017 as anticipated.</p> <p>In both cases it was possible to overcome these issues without disadvantaging any applicant.</p>				



- e. 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.

There is an increase in schools choosing to opt-out from in-year coordination, which can make it difficult to know if there are any in-year place pressures emerging. Unless there is good communication between the Authority and schools, this could also make safeguarding challenging.

Brent will need to expand secondary provision over the coming years and the willingness of academies to support this has yet to be fully tested. Within Brent there are own-admission schools that have a PAN that is lower than the school's capacity would support. This could make discussions about the number of pupils these schools could admit challenging.

To how many schools of each type does the local authority delegate responsibility for <b>in-year</b> admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
f. Community	0	n/a
g. Voluntary controlled	0	n/a
h. What do you consider to be the advantages and disadvantages of this?		

For how many schools of each type does the local authority co-ordinate <b>in-year</b> admissions?	Primary including middle deemed primary	Secondary including middle deemed secondary
i. Voluntary aided	4	1
j. Foundation	1	0
k. Academy	5	8
l. Free	1	1
m. UTC	N/A	n/a
n. Studio	N/A	n/a
o. What do you consider to be the advantages and disadvantages of this?		
There is greater transparency and improved ability to monitor compliance with the code. There is also greater scope to place children who are out of school in a timely way.		

## 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 <b>all</b>	b. How many schools of each type engage the local authority to provide <b>some</b>
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	aspects of the appeals process?		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	0	0	0	0
Foundation	0	0	0	0
Academy	0	0	1	0
Free	0	0	0	0
Studio	N/A	0	N/A	0
UTC	N/A	0	N/A	0

c. Any comments related to this:

d. 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

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

For admitting authority schools that do not coordinate in-year admissions, we suspect that not all refused applicants are being correctly advised of the right of appeal, as there are cases where the Authority has had to advise parents. Information about the appeals process and appeal forms are not always easily accessible to parents.

f. Please provide examples of good practice which have come to your attention:

## 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

b. If no, please explain why:

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	1	0	0	0
Voluntary controlled	0	0	0	0
Voluntary aided	0	1	0	0
Foundation	0	0	0	0
Academy	0	11	0	6
Free	0	2	0	1
UTC	N/A	0	N/A	0
Studio	N/A	0	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.

Schools are sometimes reluctant to admit children via FAP where there is a history of challenging behaviour. Schools are particularly reluctant if the child has been inappropriately off-rolled from their previous school (for example, through elective home education to avoid permanent exclusion) or has returned from a period overseas.

## 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

c. Please add any comment with regard to strengths or difficulties relating to this.

Brent would only use this as a last resort.

d. 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
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e. Community	0	0
f. Voluntary controlled	0	0
g. Voluntary aided	0	0
h. Foundation	0	0

i. Please add any comment with regard to strengths or difficulties relating to this.

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
j. Academy	0	0	0	0
k. Free	0	0	0	0
l. Studio	N/A	N/A	0	0
m. UTC	N/A	N/A	0	0

n. Please add any comment with regard to strengths or difficulties relating to this.

## 10. Other matters

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

Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@osa.gsi.gov.uk](mailto:OSA.Team@osa.gsi.gov.uk) by 30 June 2017