



Office of  
the Schools  
Adjudicator

**LOCAL AUTHORITY REPORT  
TO  
THE SCHOOLS ADJUDICATOR  
FROM**

**Cheshire West and Chester Local Authority**

**30 JUNE 2016**

**Report Cleared by (Name): Carolyn Davis**

**(Title): Senior Manager, Education Infrastructure**

**Date submitted: 30 June 2016**

**By (Name): Kelly Senior**

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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**

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 themselves, 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. Please note that we will contact you if any data boxes have not been completed. However if there are any blank comment boxes we will presume that you have no comments to make.**

**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 2016.

<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>	71	2	N/A
<b>Voluntary Controlled</b>	22	N/A	N/A
<b>Voluntary Aided</b>	26	3	N/A
<b>Foundation</b>	N/A	5	N/A
<b>Academy</b>	9	9	N/A
<b>Free School</b>	2	N/A	N/A
<b>UTC</b>	N/A	N/A	N/A
<b>Studio School</b>	N/A	N/A	N/A

## **2. Admission Arrangements for Admissions in September 2016**

The Code at paragraph 3.23 requires that each local authority provides “*information about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children, children with disabilities and children with special educational needs, including any details of where problems have arisen*”.

Please include details of:

1. Any ways in which each of the following groups of children have been especially well served; and
2. Any difficulties that have arisen for each group of children while allocating places for admission in September 2016.

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

Tick as appropriate: Fully  In part  Not satisfactory

Comments:

All admission authority's admission arrangements within the Cheshire West and Chester area prioritise looked after children in their oversubscription criteria.

For schools designated with a religious character the majority of admission authorities have given priority to all looked after children as the highest oversubscription criteria. 5 schools designated with a religious character have prioritised looked after children of the faith ahead of looked after children not of the faith, however they have given the highest priority to looked after children not of the faith above other children not of the faith.

This has resulted in all looked after children obtaining a place at the preferred school within the normal admission round.

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

Tick as appropriate: Fully  In part  Not satisfactory

Comments:

All admission authority's admission arrangements within the Cheshire West and Chester area prioritise previously looked after children in their oversubscription criteria.

For schools designated with a religious character the majority of admission authorities have given priority to all previously looked after children as the highest oversubscription criteria. 5 schools designated with a religious character have prioritised previously looked after children of the faith ahead of previously looked after children not of the faith, however they have given the highest priority to previously looked after children not of the faith above other

children not of the faith.

This has resulted in all previously looked after children obtaining a place at the preferred school within the normal admission round.

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

Tick as appropriate: Fully  In part  Not satisfactorily

Comments:

The Local Authority does not discriminate on the grounds of disability in accordance with the Disability and Discrimination Act.

The admission arrangements for community and voluntary controlled schools includes a medical criterion after the 'looked after' criterion. Medical criterion is assigned to an application by a panel of officers where, in their view, it justifies admission to the particular school on the basis that a place at the preferred school is essential for the medical well-being of the child. The Council requires that evidence provided by the parent should be from an individual who is suitably qualified to give a professional opinion on the medical needs of the child and who has been involved in the child's care, which state reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school.

(d) How well served are **children who have special educational needs and who have a statement of special needs** that names a school (or an education health and care plan)?

Tick as appropriate: Fully  In part  Not satisfactorily

Comments:

In accordance with legal requirements, all schools in Cheshire West and Chester admit children where the school is named on the statement / education, health & care plan. The School Admissions Team and the Special Education Needs Team work closely together to ensure that parents of children with Special Educational Needs are fully informed about the process for securing school places. For the normal admission rounds, the Special Education Needs Team and The School Admissions Team liaise to ensure all applications from parents and carers of statemented children are identified and where mainstream provision is to be named in the statement/plan, the school place is allocated as part of the process.

(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:

Where parents/carers have indicated that they wish the Authority to consider their application under medical grounds but do not have a statement of

educational needs, for community and voluntary controlled schools, medical criterion is assigned to an application by a panel of officers where, in their view, it justifies admission to the particular school on the basis that a place at the preferred school is essential for the medical well-being of the child. The authority require that the professional evidence provided must come from an individual who is suitably qualified to give a professional opinion on the medical or social circumstances and who has been involved in the child's care.

### **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 2016 in your local authority, highlighting any particular strengths in the process or any problems that have arisen.

#### **Primary**

- (a) How well has the operation of national offer day worked for primary admissions this year compared with previous years?

Tick as appropriate: Better  The same  Less well

#### **Comments:**

Co-ordination ran smoothly with other local authorities this year, however some have been more prompt than others.

Schools who are their own admission authority were able to access their applications as the local authority received them, enabling them to assign the criteria according to their admission arrangements by the date required for the local authority to run the allocation process.

The decisions were released on the national offer day of 18 April 2016, online applicants were able to access their outcome from 12.30am and respond to their offer online.

This year the local authority received 96% of applications online which is a 1% increase on last year.

The only issue the local authority has encountered this year is some of the primary schools in the area feel that the dates are quite late, they are anxious for their final lists of allocated children so that they can plan their budgets. However, bringing the dates earlier would mean that authorities will be coordinating the primary process the same time as the secondary process resulting in a possible strain on resources.

#### **Secondary**

(b) How well has the operation of national offer day worked for secondary admissions this year compared with previous years?

Tick as appropriate: Better  The same  Less well

Comments:

Co-ordination ran smoothly with other local authorities this year, however some more prompt than others.

Schools who are their own admission authority were able to access their applications as the local authority received them, enabling them to assign the criteria according to their admission arrangements by the date required for the local authority to run the allocation process.

The decisions were released on the national offer day of 1 March 2016, online applicants were able to access their outcome from 12.30am and respond to their offer online.

This year the local authority received 96% of applications online which is a 1% increase on last year.

(c) If you have any UTCs or studio schools in your area, do you co-ordinate admissions for entry at the relevant year group for entry to these schools?

Tick as appropriate: Yes  No  N/A

If **YES**, please comment on how well the admissions process is working for these schools:

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**

The Code sets out that in-year admissions do not have to be co-ordinated by the local authority.

(a) How many **pupils** have needed a school place because they do not have one or because parents have applied for a place as an in-year admission for any other reason between 1 September 2015 and 15 June 2016?

Number of pupils up to	Number of pupils over	Number of post-16
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<b>age 11</b>	<b>age 11</b>	<b>students</b>
1695	584	N/A

(b) Does your local authority co-ordinate in-year admissions for all, some or none of the schools in your area?

Tick as appropriate: All  Some  None

If 'Some', please complete the table below as appropriate

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

(c) Do you have any information about how many schools parents might approach before obtaining a place? Please comment on any issues that have come to your attention.

Comments:

(d) How confident are you that the requirements of the Code at paragraph 2.22, for schools to keep the local authority informed in a timely manner about applications and the outcomes, are being met? (If you co-ordinate all admissions for all schools then please tick not applicable.)

Tick as appropriate:

Very confident  Confident  Not confident  Not applicable

(e) Across your local authority, 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

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

Comments:

The schools are now familiar with the in year process which they have been administering for the previous 3 years and are fully aware of the requirements

of the Code to notify the authority of all applications and outcomes. There is an online form on the authority's website for parent to complete to apply for an in year transfer, it is automatically forwarded to the school concerned and a copy sent to the admissions team. All in year applications are recorded and a robust in year monitoring process is in place to ensure that schools are compliant and also highlights where a parent/carer may require assistance in securing a school place.

#### 4. Fair Access Protocol

The Code at paragraph 3.9 requires each local authority to have agreed a Fair Access Protocol with the majority of schools in its area. Paragraph 3.11 of the Code requires that all admission authorities must participate in the Fair Access Protocol.

- (a) Please confirm that your local authority has a Fair Access Protocol that has been agreed with the majority of schools in your area.

Tick as appropriate:      Yes       No

If **NO**, please explain:

- (b) Although a majority of schools, and perhaps all, will have agreed the Fair Access Protocol, some may not have done so. Please state how many schools have not agreed your 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	
<b>Voluntary Controlled</b>	0	0	
<b>Voluntary Aided</b>	0	0	
<b>Foundation</b>	0	0	
<b>Academy</b>	0	0	
<b>Free School</b>	0	0	
<b>UTC</b>	N/A		
<b>Studio School</b>	N/A		

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

Comments: N/A

- (d) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2015/16 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

(e) Have you any examples of particularly effective collaboration and working with individual schools, 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:

Pupils discussed at panel who moved into the area after the Christmas of year 10 (one as late as the January of year 11) have moved into new secondary schools. Schools have used an agreed managed move protocol to support the move of a few students and two students moved into new schools at the end of year 10 following permanent exclusions.

(f) Have you had 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  No

Comments:

There have been more referrals in one particular area of the authority and this has put pressure on a couple of schools who were at times reluctant to admit. However following dialogue and negotiation the pupils were admitted either into their preferred school or an alternative school. The situation has been supported by pre-discussions with these schools before panel.

(g) How many children have been admitted under the protocol to each type of school in your area? 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	Schools for pupils over age	All-through schools	Schools for pupils up to	Schools for pupils over	All-through schools

	age 11	11		age 11	age 11	
<b>Community</b>	1	3		0	0	0
<b>Voluntary Controlled</b>				0	0	0
<b>Voluntary Aided</b>		7		0	0	0
<b>Foundation</b>	1	22		0	0	0
<b>Academy</b>		23		0	0	0
<b>Free School</b>				0	0	0
<b>UTC</b>	N/A			N/A	0	0
<b>Studio School</b>	N/A			N/A	0	0

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

(j) Please add any other relevant information you wish to include in sections g - i concerning Fair Access Protocols.

Comments:

## 5. Admission Appeals

The Code requires data to be collected about appeals. In order to meet this requirement the DfE will use the latest published Statistical First Release: admission appeals for maintained and academy primary and secondary schools in England.

Taking into account comments reported in 2014, and data gathered for the first time in 2015, in response to the invitation to “*add any comments about the appeals process in your area*”, it would be helpful to gather views once again

across all local authorities on the extent to which schools that are their own admission authority continue to use local authority services for admission appeals.

(a) Do any own admission authority schools use any of your services as part of the appeals process?

Tick as appropriate: Yes  No

(b) If yes, please indicate the number of schools that use at least some of your services

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>	11	2	
<b>Foundation</b>		3	
<b>Academy</b>	1	3	
<b>Free School</b>			
<b>UTC</b>	N/A		
<b>Studio School</b>	N/A		

(c) Please indicate the services that are used :

Type of School	Schools for pupils up to age 11(Y/N)	Schools for pupils over age 11 (Y/N)	All- through schools (Y/N)
<b>Full appeals process</b>	Y	Y	
<b>Legal advice</b>			
<b>Assistance in the preparation and presentation of case documentation</b>	Y		

(d) Please add any other service related to appeals obtained from your local authority

Comment:

(e) Please add comments about any aspects of the appeals process in your area that work well or that cause difficulties, as appropriate.

Comment:

There is a difference in the quality of reports produced by own admission authority schools for the appeals. Community and Voluntary Controlled schools have consistency as their reports are prepared by Local Authority officers.

## 6. Other Issues

### A. Objections to admission arrangements

Paragraph 3.2 in the Code 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 directly by your local authority with schools that are their own admission 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
<b>Voluntary Aided</b>	3	1	N/A
<b>Foundation</b>	N/A	N/A	N/A
<b>Academy</b>	N/A	N/A	N/A
<b>Free School</b>	N/A	N/A	N/A
<b>UTC</b>	N/A	N/A	N/A
<b>Studio School</b>	N/A	N/A	N/A

- (b) How confident are you that 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 you a copy of their full admission arrangements, including any supplementary information form (or any such form by another name, for example, religious inquiry form) if one is used, by 15 March, as required by 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>	15	2	N/A
<b>Foundation</b>	N/A	5	N/A
<b>Academy</b>	3	6	N/A
<b>Free School</b>	1	N/A	N/A
<b>UTC</b>	N/A	N/A	N/A
<b>Studio School</b>	N/A	N/A	N/A

### B. Fraudulent applications

- (a) Is there any concern in your local authority about fraudulent applications?

Tick as appropriate: Yes  No

(b) Did your 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
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

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

Comment:

Where the authority holds a different address to that stated on an application, the parent/carer is sent a letter advising of the discrepancy and requesting confirmation of where child lives for the majority of the time, the parent/carer must provide documentation which shows that the child resides at the address stated on the application form. The authority also liaise with Council Tax officers to determined who lives at the quoted address.

Clear information is published in the local authority's composite prospectus stating that, in the event an application is identified as fraudulent, that any place offered would be removed.

The Authority's Fraud and Investigations Manager assists to further investigate any possible fraudulent applications.

### **C. Summer-born children, deferred entry and part-time attendance**

The DfE issued revised guidance in December 2014 "Advice on the admission on summer-born children" for local authorities, school admission authorities and parents ([Link to Guidance](#)). The 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, 2.17A and 2.17B refer 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

(ii) For own admission authority schools: Yes  No

If **YES** in answer to (a) above, please complete the tables:

Type of School	In 2015, how many requests for deferred admission to year R in 2016 were agreed for a child who will have reached the normal age for Year 1?
Community & Voluntary Controlled	14
Own Admission Authority	1

Type of School	How many requests to defer admission to year R in 2016 were received?	How many of those requests were subsequently agreed?
Community & Voluntary Controlled	14	14
Own Admission Authority	1	1

(b) What reasons, if known, were given for seeking to defer the admission to year R of children for a full school year?

Comments:

The majority of reasons have been from parent that don't feel their child is ready to start school due to medical issues or delayed development. We have also received requests from parents quoting the statistics published that summer born children do not perform as well as older children in the same chronological year group and have therefore requested to delay entry until the following year.

(c) Do you have any other comments on the matter of admission of summer-born children, including requests to delay admissions made after the allocation of places in the normal admissions round?

Comments:

The authority considers and supports the parent's reasons why they believe it is in the child's best interest to request their summer born child to be taught

outside the chronological year, especially when the child is not known to the authority.

However this year the authority has received requests from parents of summer born children to delay due to them not gaining a place at their preferred school rather than because the child is not ready to start.

- (d) Do you have any comments about paragraph 2.16c) in the Code concerning the offer and/or take-up of part-time attendance by children below compulsory school age?

Comments:

No feedback has been received in connection with paragraph 2.16c in the Code, however for paragraph 2.16b: Comments have been received from a school where a parent wishes to defer entry until later in the year. The school must retain the place for the child, however cannot access any funding until after the child has started. The school has a waiting list and cannot fill the 30<sup>th</sup> place and receive funding as they are holding it for a child deferring until January.

#### **D. Pupil, service and early years premium**

The 2014 Code permits all schools to give priority for admission in 2016 to children eligible for the pupil, service or early years premium (paragraphs 1.39A and 1.39B). If admission authorities wish to introduce such a priority they must have consulted as required by the Code in paragraphs 1.42-1.45.

- (a) Pupil and service premium

In respect of community and voluntary controlled schools:

<b>Type of School</b>	<b>Has the LA considered giving priority to pupil/service premium? (Y/N)</b>	<b>If YES, have you consulted on this? (Y/N)</b>	<b>In response to consultation has the priority been implemented? (Y/N)</b>
<b>Community Primary</b>	N		
<b>Voluntary Controlled Primary</b>	N		
<b>Community Secondary</b>	N		
<b>Voluntary Controlled Secondary</b>	N		

Comments:

The authority has a 'Social' criterion within the admission arrangements where pupil premium can be taken into consideration in light of the changes in the

'School Admissions Code, December 2014'  
 For a service child, the local authority accepts a Unit postal address or quartering area address so that the child is not at a disadvantage because the family does not currently live in the area

In respect of own admission authority schools:

Type of School	Has the LA been consulted by any own admission authority of the type shown below on giving priority to pupil/service premium? (Y/N)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	
Foundation Primary	N/A	
Academy Primary	N	
Free School Primary	N	
Voluntary Aided Secondary	Y	1
Foundation Secondary	N	
Academy Secondary	Y	1
Free School Secondary	N/A	
UTC	N/A	
Studio School	N/A	

Comments:

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

Type of School	Has the LA considered giving priority to early years pupil premium? (Y/N)	If YES, have you consulted on this? (Y/N)	In response to consultation has the priority been implemented? (Y/N)
Community Primary	N		
Voluntary Controlled Primary	N		

Comments:

The authority has a 'Social' criterion within the admission arrangements where pupil premium can be taken into consideration in light of the changes in the 'School Admissions Code, December 2014



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In respect of own admission authority schools:

Type of School	Has the LA been consulted by any own admission authority of the type shown below on giving priority to early years pupil premium? (Y/N)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	
Foundation Primary	N	
Academy Primary	N	
Free School Primary	N	

Comments:
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**E. Local Authority Issues**

Please provide details of any other issues that you would like to raise and/or comment on that have not been already covered in this report.

Comments:
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**Thank you for completing this report**

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