

**Local Authority Report**

to

**The Schools Adjudicator**

from

**Lincolnshire Local Authority**

to be provided by

**30 June 2021**

**Report Cleared by: Name Martin Smith**

**Title Assistant Director of Education**

**Date submitted: 9 June 2021**

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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@schoolsadjudicator.gov.uk](mailto:osa.team@schoolsadjudicator.gov.uk) by 30 June 2021 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.

2. This template requests the same information as that set out in the revised template we sent on 15 April 2020:

- a) information about how admission arrangements in 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;
- b) an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children were admitted to each school under them.

3. We should 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>.

4. In the template last year we did not ask about the determination of admission arrangements because of continued constraints on local authorities. Again, we have not asked for that information this year, but we intend to return to this area in future years given the importance of determination and checking compliance of all admission authorities. It is a key role for the local authority's leadership to encourage schools to determine arrangements in line with the provisions in the Code.

5. We welcome all comments that local authorities make in the comment boxes and we aim to reflect those comments in the Annual Report, but we ask for the comments to be entered under the right headings. Section 3 invites comment on any other matters not specifically addressed in this template if local authorities wish to do so. The views expressed in previous years also remain a matter of public record.

6. We ask that where possible, you return the template in Word instead of PDF formatting. A number of you have commented on the formatting of the template and we have tried to make it as accessible as possible, but we are aware that some local authorities use different versions of Word.

7. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2021**.

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

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

## Information requested

### Section 1 - Normal point of admission

#### A. Co-ordination

i. 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				Y
Year 7			Y	
Other relevant years of entry				Y

ii. Please give examples to illustrate your answer if you wish:

Worked well at the point of entry but there are still issues with holding places for children with an EHCP due to the conflicting timescales between admissions and SEND.

#### B. 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

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

- 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**?

Not at all  Not well  Well  Very well  Not applicable

- v. Priority in admission arrangements for 2022 for adopted children previously in care abroad. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish:

No schools in Lincolnshire have adopted this into their admissions policies.

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

N/A

### C. Special educational needs and/or disabilities

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

As above, it is difficult to anticipate the number of places to assign to children with EHCP's whilst co-ordinating admissions and sending data files to other LA's in February. Placing children above PAN is damaging to relationships where schools feel that these could have been accommodated within PAN had timescales differed.

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

### A. Co-ordination of in-year admissions

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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 (31 December) in normal years of admission.

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

Co-ordination of in year admissions works well. All schools except the UTC co-ordinate admissions. We would welcome this to be a mandatory requirement of the school admissions code.

**B. Looked after children and previously looked after children**

i. How well does the **in-year admission** 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>5</sup>

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>5</sup>

iii. How well does your **in-year admission** 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>5</sup>

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

Not at all  Not well  Well  Very well  Not applicable<sup>5</sup>

v. If you wish, please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for looked after and previously looked after children:

In our experience, In year admissions for those looked after by another LA can be disjointed due to differences in interpretation of the statutory guidance. When children are placed by Lincolnshire LA, an informal chat occurs prior to application and the guidance is followed prior to application. When other LAs place within Lincolnshire, at times, the application without a conversation can cause confusion with schools. Further information would be welcomed to unify approaches between LA's.

<sup>5</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

**C. 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>5</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 any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for children with special educational needs and/or disabilities:

None

- iv. If you wish, please provide any comments about **in-year admissions** in respect of other children:

**D. Fair access protocol**

- i. Has your fair access protocol been agreed<sup>6</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 2020 and 31 March 2021?

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
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<sup>6</sup> An existing protocol remains binding on all schools up until the point at which a new one is adopted.

Community and voluntary controlled	2	0
Foundation, voluntary aided and academies	2	28
Total	4	28

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>7</sup>

v. Please make any relevant comment on the protocol not covered above if you wish:

**E.** If you wish, any other comments on the admission of children **in-year** not previously raised.

The amendment to the School Admissions Code for 2021, advising schools to inform LA's by August of their status as within co-ordination or outside of it is not helpful for the operation of in year admissions in Lincolnshire. Where some AAs opt in and some opt out, it makes meeting safeguarding responsibilities and monitoring decisions difficult. As the new code stipulates that admission requests must be resolved within 15 days, it is particularly difficult where one school opts in and another does not.

We would welcome mandatory co-ordination of this area or an earlier deadline for informing the LA of their intention to opt in or out so that we can plan accordingly. If many schools opt out in summer we have little opportunity to inform other schools of LA plans to deal with applications which may change drastically if many schools opt out of co-ordination.

Refusal below PAN in-year continues to be an issue in our area and whilst the new code makes clear that this is lawful, it makes in year admissions difficult to monitor for consistency, particularly if the LA are not co-ordinating these admissions. We would welcome clarity with regard to the expectations on schools when refusing in this way.

### **Section 3 - Other matters**

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

<sup>7</sup> 'Not applicable' would mean that there were no hard to place children for which the protocol was required.



## **Section 4 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2022.

Thank you for completing this template.

Please return to [OSA.Team@schoolsadjudicator.gov.uk](mailto:OSA.Team@schoolsadjudicator.gov.uk) by 30 June 2021