



Office of
the Schools
Adjudicator

**Template for
Local Authority Report
to
The Schools Adjudicator
from**

**Lincolnshire Local Authority
to be provided by
31 October 2024**

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**Please email your completed report to: [Office of the Schools Adjudicator](#) by
31 October 2024 and earlier if possible**

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Introduction

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 the annual report to the Secretary of State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.30 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. Paragraphs 6 and 3.30 of the Code require that each local authority publish its report locally.
2. **This year's report must cover the 2023/2024 academic year and be submitted to the Office of the Schools Adjudicator (OSA) by 31 October 2024.**
3. Please note that, in response to feedback on the previous template and in the light of consultation with a group of local authorities, changes have been made to various sections of this year's template.

Guidance on completing the template

4. We have included all the guidance on completing specific parts of the template in this section. There is no requirement for local authorities to include the introduction and the guidance in their published reports, but they are free to do so if they wish.
5. We should be grateful if in completing questions which ask for information about primary and secondary schools and/or pupils, local authorities would follow the approach to classification of schools used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002².
6. The Code sets out some minimum requirements on the contents of each local authority report stating that each must cover as a minimum "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."
7. The Department for Education's aim through the annual reports from local authorities is to understand how well the admissions system is working nationally, rather than to hold individual local authorities to account. By understanding the effectiveness of the system, including outcomes, the Department hopes to identify areas where the admissions system is working well and areas where it could be improved. With that in mind, when the template asks, "how well does the admission system serve the needs of

¹ [Department for Education Statistical First Release](#)

² [The Education Middle School \(England\) Regulations 2002](#)

children,” the Department appreciates that it is asking local authorities to make a subjective judgement, in the understanding that everyone’s experience with the admission system will be different. The Department encourages local authorities in responding to the open questions and spaces for open comments to set out challenges that are proving difficult to overcome.

8. Guidance on specific questions and/or meaning of specific terms in this report:

- a. “in-year admissions”: This means admissions (that is children admitted to a school and not applications for places):
 - i. to a year group which is not a normal point of entry for the school concerned (for example to Year 2 for a five to eleven primary school); and
 - ii. after the end of the statutory waiting list period (31 December) to a year group which is a normal year of admission for the schools concerned (such as Year R and Year 7).
- b. Not applicable means that there were no children falling within the relevant definition.

9. 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.

10. 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.

11. Where questions request a comparison with the previous year, any new local authorities formed as a result of reorganisation should note this on the form.

Information requested

Section 1 - Normal points of admission

A. Co-ordination

Which of the following best describes the level of challenge for your **main admissions round in 23/24 compared to 22/23?**

| Year Group | Much less challenging | Less challenging | No change | More challenging | Much more challenging |
|-------------------------------|-----------------------|------------------|-----------|------------------|-----------------------|
| Reception | | | X | | |
| Year 7 | | X | | | |
| Other relevant years of entry | | | X | | |

Please give examples to illustrate your answer if you wish:

There were delays last year with the late transfer of data from other Local Authorities which was not an issue this year, so this has made for a much smoother lead up to National Offer Day for secondary places despite the relatively high cohort size,

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

- 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

- 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. If you wish, please give 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**:

C. 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 at **normal points of admission**?

Not at all Not well Well Very well Not applicable

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:

The statutory timescales in which to name a school on a child's EHCP remain in conflict with statutory school admissions deadlines. The date being so late within the admissions cycle means that a large proportion of children are allocated to schools after the initial allocation of places or after national offer day, which causes anxiety for families and pressure for schools who must over offer. At times, schools can communicate these pressures to parents and parents subsequently doubt whether they wish the school to be the named school on the plan.

We would like to see a change to more compatible dates in the future.

Section 2 - In-year admissions

A. Which of the following best describes the overall level of challenge for your in-year admissions in 23/24 compared to 22/23?

| Phase | Much less challenging | Less challenging | No change | More challenging | Much more challenging |
|-----------|-----------------------|------------------|-----------|------------------|-----------------------|
| Primary | | | X | | |
| Secondary | | | | X | |

If you wish, please explain the factors that have changed the level of challenge for your in-year admissions:

There are an increasing number of secondary schools refusing applicants due to prejudice at lower numbers than PAN after the year of entry. Whilst we understand this is lawful practice, we have no jurisdiction to challenge this. More children come through the Fair access Protocol as a result and are delayed accessing education whilst this process is completed.

We find that some schools are less willing to accept children through the protocol than others, and there can be extended dialogue in some cases prior to offer, despite the duty on schools to admit when asked to do so under the protocol.

Schools not placing pupils on roll when a place has been offered through in-year admissions until the start date agreed with parents creates a risk of children not being accounted for should they not engage and presents a safeguarding concern. The LA are reliant on the school placing the child on roll or reporting as CME if the child doesn't start.

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

- ii. How well does 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

iii. How well does the **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

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

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:

There is a significant lack of consistency amongst other local authorities. Some provide a high level of support whilst others are often delayed in responding to queries or signposting to relevant colleagues which creates an unacceptable delay for children looked after by Lincolnshire but placed in other counties.

A major difficulty faced in placing children outside of the county where they reside is the subsequent duty to find a suitable placement for the child should a school refuse. Going through the process of direction and justifying why one school is the most appropriate is difficult in areas where relationships with the schools do not already exist and engagement from schools is not forthcoming. We rely on links with virtual schools but with differing practices across LA's, this can delay the process to an unacceptable level.

Lincolnshire School Admissions has a close working relationship with Lincolnshire Virtual School and advocate for children in care and previously looked after, aiming to avoid any drift and delay in securing school places for vulnerable young people. We welcomed the clarification that fair access protocols should not be used for these children, instead seeking a direction as this will provide basis for challenge if there is not consistency between LA's.

For other LA's seeking educational placement in Lincolnshire, we can see varying levels of adherence to the statutory guidance, and this can cause tensions with schools and delay accessing places. Where social workers have not discussed the child's situation with the school, we can often see schools refuse the application lawfully on the grounds of being full, however when this contact is made, the schools are much more amenable to discussions regarding offering over PAN. Some LA's have stated that they will be seeking a direction before complying the requirements of the statutory guidance, which can cause tensions.

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 well Not well Well Very well Not applicable

- 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 well Not well Well Very well Do not 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:

In relation to children without an EHCP, most schools are able to meet the needs of all children because of the “ordinarily available provision” and support arrangements.

Lincolnshire has a small number of children who locate to the county with high levels of additional needs. For example, some children with very complex needs are new to the country and very little information is available about their previous educational placement (for example those from overseas). In some cases, a specialist placement will need to be sought but this is challenging if the child does not have an EHC plan. There are also children who come with an EHC plan which lacks specificity and support agencies may need to be involved: it is not always possible to achieve this before the child is admitted to school.

D. Fair access protocol

What proportion of the state-funded mainstream schools in your area have said that they agree to the local authority fair access protocol?

Primary

Between 0% and 49%

Between 50% and 74%

Between 75% and 89%

Between 90% and 99%

100%

Secondary

Between 0% and 49%

Between 50% and 74%

Between 75% and 89%

Between 90% and 99%

100%

If you have below 75% for either phase, please explain why:

- i. How many children were admitted to schools in your area under the fair access protocol between 1 August 2023 and 31 July 2024?

| Type of school | Number of Primary aged children admitted | Number of Secondary aged children admitted |
|---|--|--|
| Community and voluntary controlled | 9 | 3 |
| Foundation, voluntary aided and academies | 28 | 424 |
| Total | 37 | 427 |

- ii. If you have seen a change in the number of children referred to your Fair Access Protocol between 1 August 2023 and 31 July 2024 compared to the previous academic year please indicate what you consider the key reasons for this change to be?

The total number of referrals has decreased from 586 (total figure of primary and secondary combined) to 464 which is an approximate 20% reduction. The main reason for this is the reduction of refugees/asylum seekers needing to be placed via the protocol. Some of these were Ukrainian refugees but Lincolnshire also had two large hotels accommodating asylum seeker families, but this accommodation been stood down for housing asylum seekers early in 2024, with numbers and FAP requests reducing from summer 2023.

This academic year we have processed a total of 17 FAP requests for refugees/asylum seekers compared to 162 for the previous academic year which is a reduction of approximately 90% in this category.

The number of FAP allocations for students unable to access a place mid year due to schools refusing on the grounds of prejudice (including when not at PAN) is broadly similar across the county as last year.

iii. How well do you consider children referred to the Fair Access Protocol are served in in your area?

- Not at all well Not well Well Very well Not applicable

iv. Please provide any comments you wish on the protocol not covered above:

We believe that our Fair Access Processes work very well to meet the needs of the pupils it serves. Schools are largely understanding of their duties under the protocol and integrate pupils quickly. Feedback from schools suggests that they do not feel Fair Access should be triggered when other schools have physical capacity but declare prejudice in admitting further children. We continue to re-iterate the DfE position regarding prejudice and that this is a lawful response but would welcome reform in this area to access places outside of FAP.

E. Directions to maintained schools to admit children³

How many directions did the local authority make between 1 August 2023 and 31 July 2024 to maintained schools for which the local authority is not the admission authority to admit children (including children looked after by the local authority but resident in another area)?

| Total number of children | Of which, looked after | Of which, not looked after |
|--------------------------|------------------------|----------------------------|
| 0 | 0 | 0 |

F. Other points on in-year admissions

i. For the schools for which the local authority co-ordinates in-year applications, in the year between 1 Aug 2023 and 31 July 2024 did you receive

- Significantly fewer applications than last year
 slightly fewer applications than last year
 about the same
 slightly more than last year
 significantly more than last year

³ It is important that only Directions to maintained schools are included here. Numbers of Directions to academies are already held by the Department.

- ii. For what proportion of **primary** schools in your area did the local authority co-ordinate in-year admissions during the 2023/2024 academic year

Between 0% and 24%

Between 25% and 49%

Between 50% and 74%

Between 75% and 100%

- iii. For what proportion of **secondary** schools in your area did the local authority co-ordinate in-year admissions during the 2023/2024 academic year

Between 0% and 24%

Between 25% and 49%

Between 50% and 74%

Between 75% and 100%

iv. If you wish, please provide any comments about how **well in-year admissions** works for children who are **not** looked after or previously looked after and/or do **not** have SEND: We would welcome an amendment to the legislation to require in year co-ordination to be mandatory to ensure that no children do slip through the net should schools choose to opt out.

v. If you wish, please provide any other comments on the admission of children **in-year** not previously raised (you may wish to include here any comments about cases where it has not proved possible to find places for children):

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?

Section 4 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2025.

The report is clear, and the questions and timescales are more in line with the data we hold.

Thank you for completing this template.

Please return to [Office of the Schools Adjudicator](#) by 31 October 2024