



Office of  
the Schools  
Adjudicator

**Local Authority Report**

to

**The Schools Adjudicator**

from

**Essex County Council**

to be provided by

**30 June 2021**

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**Date submitted: 4 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**

# Contents

Section 1 - Normal point of admission .....	4
A. Co-ordination.....	4
B. Looked after and previously looked after children .....	4
C. Special educational needs and disabilities.....	5
Section 2 - In-year admissions.....	5
A. Co-ordination of in-year admissions.....	6
B. Looked after children and previously looked after children .....	6
C. Children with special educational needs and/or disabilities .....	7
D. Fair access protocol.....	7
E. General comments on in-year admissions.....	8
Section 3 - Other matters.....	8
Section 4 - Feedback.....	9

## 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				X
Year 7				X
Other relevant years of entry				X

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

Essex County Council continues to find that the co-ordination processes work very well, other than some system related issues in our own LA and with other LAs.

We continue to feel that, as a way of assisting all LAs nationally, the use of specified mandatory dates for the exchange of admissions information (i.e. application data, offer data, etc) would lead to further streamlining of the co-ordination processes.

#### 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<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>

<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<sup>3</sup>

- 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:

With the recent changes to the School Admissions Code, which take effect from September 2021, we feel that this matter has been clarified and the equity brought to this cohort to be in line with other Looked after Children and Previously Looked after Children will alleviate any confusion in the handling of applications for these children.

- 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**: No comments to make.

### 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 in previous years, we continue to feel that the disparity in the dates for finalising EHCPs (particularly for children transferring from Year 6 to 7, being 15 February) and the key dates of the mainstream co-ordinated admissions process can lead to confusions in the allocation process. Schools can find themselves being made to admit above their PAN because mainstream allocations are being finalised at the same time as EHCP and some EHCP not being finalised until after the mainstream allocations are made and published.

We feel that the moving of the date for finalising EHCP should be explored and considered by the DfE. For example, a final date for EHCPs of 15 January would correspond with the start of the mainstream allocation processes, therefore allowing for all final EHCP decisions to be accounted for and avoiding the need for schools to go over PAN.

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

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

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

Direct applications to schools for secondary in-year admissions continues to be a positive process, as all admissions and related questions families have for the school can be handled by the same party. As all Essex secondary schools are their own admissions authorities, this is a logical method of administering the in-year admission processes.

For primary phase in-year admissions the LA remains the admissions authority for many schools and, as such, continues to co-ordinate all applications at this time.

### **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>

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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.

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

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:

No comments to make.

### 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:

On occasion a school may raise a concern about admitting a mainstream child who has SEND (but no EHCP) that were unknown at the time the application was considered and the ability of the school to meet those needs.

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

Year 11 admissions can be challenging due to it being an examinations year. We also find some occasions for Year 2 and Year 6 admissions where there is a reluctance to admit prior to SATS.

### 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

<sup>6</sup> An existing protocol remains binding on all schools up until the point at which a new one is adopted.

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
Community and voluntary controlled	97	N/A
Foundation, voluntary aided and academies	113	54
Total	210	54

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:

It is hoped that the changes to the School Admissions Code will add further clarity to the Fair Access Processes, especially around timing of outcomes.

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

### **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?

No other comments to make.

<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.

No other comments to make.

Thank you for completing this template.

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