



Office of
the Schools
Adjudicator

Local Authority Report

to

The Schools Adjudicator

from

Knowsley Local Authority

to be provided by

30 June 2021

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**Please email your completed report to: 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 Release¹ and the Education Middle School (England) Regulations 2002².

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**.

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

² [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:

- The LA was able to meet the majority of internal timeframes set within the locally agreed scheme for the various stages of the application and allocation process. Some of these dates are influenced by the activity and schemes of co-ordinating LAs so there is always the possibility of some 'slippage' but this was minimal and did not affect the final allocation being achieved and offers issued in accordance with national timeframes for both the reception and year 7 transfer.
- There is only one junior school in the local area for whom the LA co-ordinate year 3 transfer which simplifies the process for other relevant years of entry and all applicants were accommodated.
- There are good working relationships between the LA and own admission authority schools and also with close neighbouring LAs where inter-LA co-ordination is necessary to ensure that any queries/discrepancies (usually minor) are resolved expediently.

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 applicable³

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 applicable³

³ 'Not applicable' will only be appropriate if there are no children falling within this definition.

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 applicable³

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 applicable³

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:

- Only two own admission authority schools in the Local Authority area had determined not to include provision for adopted children previously in care abroad within their oversubscription priority groups. All other schools had determined to prioritise this group immediately following the first priority of looked after and previously looked after children.
- It is noted that, since the initial request for inclusion of adopted children previously in care abroad in oversubscription criteria, the LA has not recorded any applications made under this provision by an applicant during the annual bulk allocation rounds.
- Following the revisions in the recently published 2021 Admissions Code, it is expected all admission authorities in the LA area will review their determined policies to provide for inclusion of these children within the first priority group of oversubscription in line with mandatory requirements.

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**:

- The LA and all own admission authorities within the LA area give first priority to looked after and previously looked after children in their admission policies and adhere to this rule without exception; faith schools do not differentiate between looked after and previously looked after children who are and are not considered to be of the faith affiliation of the school.
- It can at times be difficult to obtain evidence of previous looked after status, particularly if this was some time ago, thus it is imperative that home LAs verify looked after and previous looked after children status of home applicants before application data is shared inter-authority to ensure the correct and efficient processing of such applications within the relevant timeframes and to avoid incorrect allocation outcomes.

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:

- Both the LA and all own admission authorities within the LA area prioritise placement of children with an EHCP within the published admission number of a named school above any other pupil expressing a preference, where they are known of at the point of allocation.
- On occasions when an EHCP follows allocation, schools continue to accommodate and will exceed PAN if necessary and manageable within health and safety risk assessment.
- Children who have additional needs but do not have an EHCP are considered with all other applicants in a non-discriminatory process – the LA is confident that all schools can offer appropriate interventions and have access to additional support mechanisms for individual pupils if necessary but, if parents/carers believe a particular school is more appropriate for their child and they do not obtain a place under the normal allocation process, they can exert their right to appeal for a place and outline what they consider the exceptional circumstances to be.

Section 2 - In-year⁴ admissions

A. Co-ordination of in-year admissions

⁴ 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:

- The LA co-ordinates the in-year transfer process for secondary schools. Applications are made via the LA who then liaise with schools to achieve an outcome response following agreed procedures and timeframe. All secondary schools in the LA are own admission authority schools (either voluntary aided or academy). The provisions of the in-year process agreed between the LA and schools includes the monitoring of vacancies and on/off roll data and operating a waiting list.
- The LA does not fully co-ordinate in-year admission for primary schools in the area but receives weekly vacancy and on/off roll data from the majority of schools which enables some monitoring of admission practices. The LA also request that individual schools notify them regarding any applications/enquiries about potential places made by parents/carers that they cannot accommodate in order that the LA may fulfil its duties in respect of unplaced pupils in the areas and the monitoring of Children Missing Education.
- The LA inform and guide all schools in the borough regarding admissions legislation and provide an application processing framework including an appropriate application form. There is confidence that places are offered appropriately and the LA challenges schools and seeks appropriate resolution where there is a suggestion that appropriate admission processes are not being followed.
- Both primary and secondary schools can refer applications to FAP if they meet any of the prescribed categories, or if school believe the child presents with challenging behaviour and they feel it would be inappropriate or unequitable to offer a place.
- The LA will be reviewing in-year practice in the primary and secondary sector in light of the requirements of the revised Admissions Code that has recently been published to ensure any statutory requirements are met.

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 applicable⁵

- 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 applicable⁵

- 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 applicable⁵

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

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 applicable⁵

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:

- Both looked after and previously looked after children are given priority admission to schools in-year and may be admitted above the admission number in the relevant year or the usual operational number where a year group would otherwise be considered full if this is deemed to be the most appropriate placement.
- Fully subscribed schools sometimes feel a pressure in accommodating LAC pupils over PAN for genuine reasons of health and safety or concerns about the impact of overcrowding or resources pressures impacting on pupils already on roll, but do not always feel comfortable in declining places to a vulnerable group of children. The LA encourages open conversations between the school requested and the family, social care and virtual school representatives to determine whether the placement is the most suitable in the circumstance.
- Communication is vital to ensuring expedient and appropriate placement. Applications are sometimes received with little additional information but a good network of 'virtual headteachers' helps to support the process across authority boundaries. There is an appreciation that expediency is required in the placement of LAC pupils but the LA has agreed with its schools that this should not be to the detriment of ensuring the most appropriate placement through relevant conversations and information gathering prior to admission.

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 applicable⁵

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:

- SEND legislation assists with the placing of children who have an EHCP.

- On occasion, schools can be more reluctant to admit children who have some identified SEND but are not in ownership of an EHCP. This is typically due to a concern of added pressure on school resources and is more apparent if the request is for transfer from another school in the locality (within or outside the LA area) when there has been no other change of circumstances that would typically initiate a transfer (such as an address change). In some cases, parents/carers state the reason for a request for transfer in-year is due to their view that the current school has not made adequate provision to address their child's needs - the requested school may then express concern that the transfer request as the result of a neglected responsibility or an unnecessary change if same provision is in place in both schools.
- In identified cases where in-year admission is requested for a child for whom it appears an EHCP should have been sought, the LA may make a referral to FAP for consideration and request the view of a SEND professional in any decision making. Admission following such referral would be noted in placement records as that of a vulnerable pupil to enable equitable distribution if future cases occur. This prevents inappropriate pressure on any individual school of admitting a disproportionate number of pupils that may require additional support in an effort to avoid creating prejudice to the efficient education and efficient use of resources in all schools.

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

- The LA requests that all schools consider in-year applications within a local framework to ensure consistency and equity. There is currently a locally agreed maximum process period of twenty school days to allow for full exploration of complex transfer applications where necessary, ensure for planned admission and to avoid unnecessary local transfer if a resolution to any issue leading to transfer request can be found in the current setting.
- Many applications are processed in a much shorter timeframe than that currently allowed for, particularly in the primary sector where schools receive applications on an individual basis and can typically process swiftly.
- Where the LA does not fully co-ordinate in-year admissions, it publishes information via the Council website regarding the process that parents/carers should expect, thus allowing for parents/carers to raise query if they feel the relevant procedures are not being followed. The relatively low frequency of query/challenge about the processing of in-year applications by applicants suggests the current process is operating well.
- The Fair Access Protocol allows for equitable distribution of vulnerable pupils and a resolution for unplaced local resident pupils as expediently as possible.

D. Fair access protocol

- i. Has your fair access protocol been agreed⁶ with the majority of state-funded mainstream schools in your area?

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

- Yes for primary
- Yes for secondary

ii. If you have not been able to tick both boxes above, please explain why:
N/A

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	1	N/A
Foundation, voluntary aided and academies	1	23
Total	2	23

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 applicable⁷

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

- Knowsley is an authority with high deprivation levels and pupil mobility is also considerable. Schools, particularly in the secondary sector, admit a high proportion of children with challenging behaviour and/or complex social and emotional needs without restriction at the normal point of admission and, whilst this is well managed by schools it does mean that any school could potentially make a strong and valid case for contextual cohort reasons for declining further children with challenging behaviour in-year.
- As a small authority it can at times be difficult to ensure equal distribution of placements. Placement on a rotational basis employed by some local authorities would not be practical within this LA due to geographical restraints. However, a smaller number of schools means there is a close working relationship between fair access panel members with representation from all schools in the secondary sector, which allows for open discussion regarding the placement of children.
- On occasion, the Fair Access Panel conclude that mainstream placement may not be appropriate and may re-direct to alternative provision or short-term assessment at the pupil referral unit.

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

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

- Whilst there has been no requirement to direct any school this year, there has been noted opposition from own admission authority schools if they are dissatisfied with a proposed placement. Such cases are currently minimal and typically resolved through mediation, but this can at times delay the placement process.

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?

The LA is aware of the requirements of the revised Admissions Code and will seek to implement any revisions necessary to current policy and process but feel that the timeframes for achieving these changes is not ideal and, given the consultation was undertaken in June-October 2020, it would have been preferable for the revisions to have been confirmed by the DfE at an earlier point in the annual school year and school admissions calendar than May 2021 to allow for changes to be in place at the beginning of the next school year and to avoid the administrative burden to admission authorities of making mandatory changes to annual admission arrangements that were only recently determined.

Section 4 - Feedback

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

The report template is easy to follow and consistent in its requests for information allowing the LA to provide supporting comment which may help to interpret data and inconsistencies or anomalies.

Thank you for completing this template.

Please return to OSA.Team@schoolsadjudicator.gov.uk by 30 June 2021