



Office of  
the Schools  
Adjudicator

**Local Authority Report**

to

**The Schools Adjudicator**

from

**Wiltshire Local Authority**

to be provided by

**30 June 2019**

**Report Cleared by: Clara Davies**

**Head of School Place Commissioning**

**Date submitted: 3/7/19**

**By: Debbie Clare**

**School Admissions Co-ordinator**

[www.gov.uk/government/organisations/office-of-the-schools-adjudicator](http://www.gov.uk/government/organisations/office-of-the-schools-adjudicator)

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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. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2019**.
2. Please note that the specified date for returning this form by 30 June is a Code requirement; this is why some data are asked for by financial year.
3. We have made some changes to the information and categories of information sought this year:
  - a. we have removed references to “all through” schools and instead would 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>, and
  - b. we have decided not to use the term “own admission authority schools” to mean those schools for which the local authority is not the admission authority (that is foundation, voluntary aided and academy schools). This is because a large number of arrangements are now determined by multi-academy trusts. We will therefore refer to ‘schools for which the local authority is not the admission authority’.
4. Local authorities will notice that we have not included this year a number of questions which have been asked in past years. This is because we judge that we are unlikely to receive much information that adds to the existing body of knowledge and do not wish to take up local authorities’ time unnecessarily. We have not asked:
  - a. for details of the particular provisions of admission arrangements determined by other admission authorities challenged by local authorities;
  - b. local authorities’ views of how well the interests of children with special educational needs or disabilities are met at the normal points of admission;
  - c. about the advantages and disadvantages of co-ordinating in year admissions;
  - d. about the reliance on paragraph 3.12 of the Code by other admission authorities in the local authority’s area;
  - e. for information about admission authorities’ approaches to deciding whether or not they had places available in year; or

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

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

- f. for the number of children refused admission to a school under the fair access protocol.

Local authorities are, of course, free to comment on any of these matters if they wish to do so under section 6. The views expressed by local authorities in previous years also remain a matter of public record.

5. We are asking new questions this year about:

- a. the proportion of schools with other admission authorities in the local authority area for which the local authority ranks preferences for the schools concerned on the admission authorities' behalf;
- b. use of oversubscription criteria which give priority to children adopted having previously been in care abroad; and
- c. how well served are children who are looked after by another local authority but being educated in the area of the local authority submitting the report.

6. We continue to ask about the use of the premiums in admission arrangements but have provided further guidance on this in footnote 11. In particular, we ask local authorities to include in their responses schools using part of any of the premiums (such as free school meals eligibility). Please consider this footnote before answering the questions on this matter.

## Information requested

### Section 1 - Normal point of admission

#### A. Determined arrangements

- i. Please give the date your local authority determined arrangements for admission in 2020 to its voluntary controlled and community schools.

05/02/2019

- a. This local authority has no community or voluntary controlled primary schools (please tick box if this applies)
- b. This local authority has no community or voluntary controlled secondary schools (please tick box if this applies)

- ii. Please specify the date the determined arrangements for voluntary controlled and community schools were published on the local authority's website.

05/02/2019

- iii. Please provide a link to where the admission arrangements can be viewed on the local authority's website on publication.

Please see below:

<http://www.wiltshire.gov.uk/schools-learning-forms-guides-policies>

iv. What proportion of arrangements for schools for which the local authority is not the admission authority was provided to the local authority by 15 March 2019?

None       Minority       Majority       All

	Primary	Secondary
v. How many sets of admission arrangements of schools for which the local authority is not the admission authority were queried directly by your local authority because they were considered not to comply with the Code?	None However, the LA has provided a number of schools with feedback on their proposed school's policy during consultation. These comments were mainly due to the fact that we felt some clarification was required.	None However, the LA has provided a number of schools with feedback on their proposed school's policy during consultation. These comments were mainly due to the fact that we felt some clarification was required.
vi. Please provide any comments on the determination of admission arrangements not covered above.  Overall we have no concerns around the admissions policies for own admissions authority schools in Wiltshire. The feedback that we have provided to schools during consultation process is around clarification of certain aspect for example definition of a sibling. We have also provided feedback to information that has been collected by some faith schools on supplementary forms.		

## B. Co-ordination

i. Provision of rankings:

a. What proportion of schools for which the local authority is not the admission authority provided their rankings correctly undertaken by the agreed date?

None       Minority       Majority       All

b. For what proportion of schools with other admission authorities in the local authority's area did the local authority rank preferences expressed for those schools in 2019?

None       Minority       Majority       All

ii. Please provide any comments you wish to make in respect of provision of rankings:

None.

iii. Does the local authority charge schools for providing rank preferences?

Yes     No

iv. Does the local authority rank preferences for other admission authorities in OTHER local authority areas and, if so, for how many schools?

No

v. 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	-

vi. Please give examples to illustrate your answer:

As in previous years the main round of co-ordination has gone well. Issues can arise after the main round has been completed due to the fact that other LA's can determine their own dates for late round allocations. This can often be confusing for parents.

### C. 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**?

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

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>

- 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 2020 for adopted children previously in care abroad.

- a. Do the arrangements for any **community or voluntary controlled primary** schools include this priority for 2020?  Yes  No

If yes please provide the number of community or voluntary controlled primary schools that include this priority.

- b. Do the arrangements for any **community or voluntary controlled secondary** schools include this priority for 2020?  Yes  No

If yes please provide the number of community or voluntary controlled secondary schools that include this priority.

- c. Do the arrangements for any primary schools for which the local authority is **not the admission authority** include this priority for 2020?  Yes  No

If yes please provide the number of primary schools for which the local authority is **not the admission authority** that include this priority.

- d. Do the arrangements for any secondary schools for which the local authority is **not the admission authority** include this priority for 2020?  Yes  No

If yes please provide the number of secondary schools for which the local authority is **not the admission authority** that include this priority.

e. Please comment on the use of a priority in admission arrangements for a child adopted who was previously in care abroad if you wish.

N/A

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

All admission arrangements comply with the regulation to place Looked After Children / Previously Looked After Children as top priority in their oversubscription criteria. It can sometimes be difficult to determine if a child meets the previously looked after children criteria based on the information provided by the parent.

#### **D. Special educational needs and disabilities**

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

Wiltshire Council's admissions policy has a vulnerable children's criteria within its over-subscription criteria for VC & C schools. This criterion is immediately after LAC and Previously LAC, it also takes into account the disability of a parent/guardian. This criterion has also been adopted by many of our Voluntary Aided, Foundation and Academy schools, some of which have been previously Voluntary Controlled or Community schools.

Children with Statements or Individual EHC Plans are accessing appropriate provision, special and mainstream. They are fully supported by a number of professionals from education, health and social care as detailed in their Statement of Special Educational Needs or Individual EHC Plans.

Children who have a Statement or an EHCP plan are not placed by the School Admissions Team.

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

### **A. The number of in year admissions**

i. Do you know the number of in year admissions to primary schools in your local authority area? Yes No

ii. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:

- schools with other admission authorities are not complying with the requirement in paragraph 2.22 of the Code to notify the local authority of applications for places and the outcome;
- the local authority does not use the information provided by schools with other admission authorities to collect the numbers of in year admissions; and/or

other?

N/a

iii. Do you know the number of in year admissions to secondary schools in your area? Yes No

iv. If 'no' is this for one or more of the following reasons (tick boxes as appropriate) because:

- schools with other admission authorities are not complying with paragraph 2.22 of the Code;
- the local authority does not use the information provided by schools with other admission authorities to collate the numbers of in year admissions; and/or

other?

N/a

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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 in normal years of admission.

v. If the local authority does know the number of in year admissions to state funded schools in its area, please complete the following table.

	Primary aged children	Secondary aged children
Number of in year admissions between 1/9/17 and 31/8/18	2865	914
Number of in year admissions between 1/9/18 and 31/3/19	2531 as of 31/03/2019	629 as of 31/03/2019

## B Co-ordination of in year admissions

i. To what proportion of community and voluntary controlled schools did the local authority delegate responsibility for in year admissions in the academic year 2018/19?

a) Primary:  Not applicable<sup>5</sup>  None  Minority  Majority  All

b) Secondary:  Not applicable<sup>5</sup>  None  Minority  Majority  All

ii. For what proportion of schools for which the local authority is not the admission authority does the local authority co-ordinate in year admissions?

a) Primary:  None  Minority  Majority  All

b) Secondary:  None  Minority  Majority  All

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

Wiltshire Council co-ordinates all in year applications for all of its schools except one primary school. The process that we have in place works well. The decision to continue co-ordinating applications was made in the interest of safeguarding children and to ensure that we can communicate quickly with other LA's around children missing in education, this is fully supported by all of our schools in Wiltshire. We have also been able to advise other LA's promptly if we have received an application from a child moving to Wiltshire. In continuing in year co-ordination we are able to ensure that any parent who does not secure a place at their preferred school is allocated an alternative school as soon as possible.

## C Looked after children and previously looked after children

<sup>5</sup> 'Not applicable' will only be appropriate if the local authority has no community or voluntary controlled primary/secondary schools.

- i. How well does the in year admissions 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>6</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>6</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?
- Not at all  Not well  Well  Very well  Not applicable<sup>6</sup>
- iv. How well does your in year admissions system serve the interests of previously looked after children?
- Not at all  Not well  Well  Very well  Not applicable<sup>6</sup>

v. Please give examples of any good or poor practice or difficulties which support or exemplify your answers about looked after and previously looked after children:

All admission arrangements comply with the regulation to place Looked After Children / Previously Looked After Children as top priority in their oversubscription criteria. The Admissions Team at Wiltshire Council still co-ordinates all applications for all but one school in Wiltshire. We also work very closely with the Virtual Head and Virtual School Team to ensure that LAC are offered a place at a school as quickly as possible. Although we have one school for whom we do not co-ordinate in year admissions for, we are confident that this school supports these children well.

## D 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>7</sup>

<sup>6</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

<sup>7</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

- 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 good or poor practice or difficulties which support or exemplify your answers:

Children with Statements or Individual EHC Plans are accessing appropriate provision, special and mainstream. They are fully supported by a number of professionals from education, health and social care as detailed in their Statement of Special Educational Needs or Individual EHC Plans.

Children who have a Statement or an EHCP plan are not placed by the School Admissions Team.

## E Other children<sup>8</sup>

- i. How well served are other children when they need a new school place in year?

Not at all  Not well  Well  Very well  Don't know

- ii. Please provide any comments you wish to make in respect of other children:

Wiltshire council considers applications a term in advance of the required admissions date and aims to process all applications within 20 school days of receipt. Sometimes this can be difficult due to pressure on places in some geographical areas but by co-ordinating all applications for all year groups, we can ensure that all children are offered a place as quickly as possible.

## F Fair access protocol

- i. Has your fair access protocol been agreed<sup>9</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:

<sup>8</sup> Other children are those not looked after, previously looked after or with special educational needs and/or disabilities.

<sup>9</sup> An existing protocol remains binding on all schools up until the point at which a new one is adopted.

N/a

iii. How many children were admitted to schools in your area under the fair access protocol between 1 April 2018 and 31 March 2019?

Type of school	Number of children admitted	
	Primary aged children	Secondary aged children
Community and voluntary controlled	7	10
Foundation, voluntary aided and academies	4	33
Total	11	43

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>10</sup>

Please make any relevant comment on the protocol not covered above.

At secondary level the Protocol is linked to Wiltshire's participation in a national pilot on permanent exclusion and alternative provision. Under a Power to Innovate Wiltshire's responsibility for the education of permanently excluded pupils was devolved to the schools. Although the pilot finished in June 2014 the arrangement still continues through a service level agreement between secondary schools and Wiltshire Council.

This approach has drastically reduced the numbers of both permanent and fixed term exclusions in the secondary phase. At secondary level, Panels meet regularly and review the progress of pupils they have placed and this also provides other schools the opportunity to offer advice and strategies if particular placements are proving difficult for the school concerned.

The Power to Innovate does not apply to primary schools in Wiltshire. We only have a small amount of primary cases that are referred to the Panel annually.

As in previous years, there has been some reluctance to admit children who have been PEX from schools in other Local Authorities but whom are Wiltshire residents. This has only occurred when they are Wiltshire children who have been PEX but their designated school is not in Wiltshire School and is just across the border.

<sup>10</sup> 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

### **Section 3 - Directions**

<b>A.</b> How many directions did the local authority make between 1 April 2018 and 31 March 2019 for children in the local authority area?				
	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
Voluntary aided or foundation	0	0	0	0
<b>B.</b> Please add any comments on the authority's experiences of making directions in these circumstances. N/a				

<b>C.</b> How many directions did the local authority make between 1 April 2018 and 31 March 2019 for a maintained school in another local authority area to admit a looked after child?	
For primary aged children	For secondary aged children
0	0
<b>D.</b> Please add any comments on the authority's experiences of making directions in these circumstances. N/a	

<b>E.</b>	Primary aged children (not looked after)	Primary aged looked after children	Secondary aged children (not looked after)	Secondary aged looked after children
How many requests to the ESFA to direct an academy to admit a child did the local authority make between 1 April 2018 and 31 March 2019?	0	0	0	0

How many children were admitted to an academy school as a result of the request for a direction by the local authority to the ESFA between 1 April 2018 and 31 March 2019?	0	0	0	0
How many requests were outstanding as at 31 March 2019?	0	0	0	0
<p><b>F.</b> Please add any comments on the authority's experiences of requesting directions in these circumstances.</p> <p>We have not been in this position, so we are unable to provide any comments.</p>				

<p><b>G.</b> Any other comments on the admission of children in year not previously raised.</p> <p>None</p>
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## **Section 4 - Pupil, service and early years pupil premiums (the premiums)<sup>11</sup>**

<sup>11</sup> Please include in these figures all schools whose arrangements give priority on the basis of eligibility for one or more of the premiums or part thereof except where the only sub-group is looked after and previously looked after children as all schools must give first priority to these children.

Admission authorities can limit priority to specific sub-groups of those who attract a premium. Examples are:

- children of parents who are currently serving in the UK regular armed forces (rather than all children who attract the service premium); or
- children who are eligible for free school meals at the time of application (rather than all children who attract the pupil premium).

If such sub-groups have priority at any point within the oversubscription criteria, they should be included in the totals for this table even if there is no specific use of the terms, 'pupil premium,' 'early years premium' or

<b>A. How many <b>community or voluntary controlled schools</b> in the local authority area will use each premium as an oversubscription criterion (including the tiebreaker) for admissions in 2020?</b>	Primary	Secondary <sup>12</sup> <u>excluding</u> grammar	Grammar <sup>12</sup>
Early years pupil premium	0	N/A	N/A
Pupil premium	0	0	0
Service premium	6	1	0
Total number of schools using at least one premium in their oversubscription criteria	6	1	0

<b>B. How many <b>schools for which the local authority is NOT the admission authority</b> in your area will use each premium as an oversubscription criterion (including the tiebreaker) for 2020?</b>	Primary	Secondary <sup>12</sup> <u>excluding</u> grammar	Grammar <sup>12</sup>
Early years pupil premium	0	N/A	N/A
Pupil premium	1	0	2
Service premium	1	0	2

‘service premium’ in the arrangements. Paragraphs 1.39A and 1.39B of the Code provide the relevant exceptions to paragraph 1.9f (which prohibits giving a priority to a child according to the occupational or financial status of parents applying).

<sup>12</sup> Do not include use in post 16 arrangements

Total number of schools using at least one premium in their oversubscription criteria	1	0	2
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## **Section 5 - Electively home educated children**

**A.** How many children were recorded as being electively home educated in the local authority area on 29 March 2019?

564

**B.** Any comments to make relating to admissions and children electively home educated that you have not previously raised?

There is a year on year rise in numbers of EHE children. Following national trends.

## **Section 6 - 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 further comments to make.

## **Section 7 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2020.

As an LA we have seen another increase in delayed entry requests over the last few years, which can sometimes create challenges if applicants are naming preferences cross border. It would be helpful if further guidance could be issued to ensure that all LA's are processing such requests in the same way. The current process which is developed locally can often be confusing for parents especially if their preferences span across multiple LA's.

We have also noticed that parents of summer born children are making late requests to delay entry due to the fact that they have not secured a place at their preferred school.

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Thank you for completing this template.

Please return to Lisa Short at [OSA.Team@schoolsadjudicator.gov.uk](mailto:OSA.Team@schoolsadjudicator.gov.uk) by 30 June 2019