

**DRAFT**

**Appendix A**

**LOCAL AUTHORITY REPORT  
TO  
THE SCHOOLS ADJUDICATOR  
FROM**

**Central Bedfordshire Council**

**30 JUNE 2009**

**Report Cleared by: Central Bedfordshire Admissions Forum  
Edwina Grant, Director of Children, Families and  
Learning**

**Date submitted: 30 June 2009**

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## SECTION 1

### FOR THE ACADEMIC YEAR IN WHICH THE REPORT IS MADE - 2008 - 2009

**Please complete using data/information for the period 1 September 2008 to date of report**

*Code 4.9 a) (i) how well the Fair Access Protocol has worked and how many children have been admitted to each school in the area under the protocol;*

The Code at 3.44 requires (1) each local authority to have a Fair Access Protocol and (2) all schools and Academies to participate in their LA area's protocol

- a) Please confirm that the LA has a Fair Access Protocol that has been agreed with all the relevant schools in its area.

**The Local Authority has a Fair Access Protocol in place agreed with all relevant schools.**

- b) Give your assessment of how well the Fair Access Protocol has worked since 1 September 2008:

- a. in placing children in schools;

**The Fair Access Protocol has been successful in placing pupils who meet the criteria for the Protocol, into schools.**

- b. the co-operation of schools and Academies in implementing the protocol; and

**All schools have ultimately co-operated with the Protocol. In a few cases in Upper schools, there have been requests for decisions to be reconsidered on the basis of local information and exceptional circumstances and this has been agreed.**

- c. any issues you have had in implementing the protocol.

**There has been an increase in numbers of pupils excluded from year 10 this year, which has placed more pressure on the resources and planning for Key stage 4 staff in schools.**

**Several schools have requested that risk assessments are undertaken before a pupil is identified under the protocol. The issue of initial assessment, intervention and support in a new placement is being reviewed by the Fair Access Protocol head teachers and Local Authority officers working group.**

- c) In Appendix A, please record for each school the number of children directed to (column O) and admitted (column P) to the school under the protocol between 1 September 2008 and date of report.

**Appendix A shows the number of children identified for admission to each school (column O) and admitted (column P) under the Fair Access Protocol for the period 1 September 2008 to 9 June 2009. Some pupils identified for admission to a named school have yet to be admitted as their placement has only recently been identified. Planning for their admission is still taking place. This accounts for the differences, in some cases, between column O and column P.**

*Code 4.9 a) (ii) whether primary schools are complying with infant class size legislation*

Please include in your comments the number of schools where qualifying measures are being taken.

**The January 2009 Annual School Census identified the following schools that were in breach of infant class size limits:**

**Derwent Lower School**

**The school has a mixed nursery and reception class of 35 children. All of the children attend full time and the majority of those children will attain the age of 5 during this school year. The headteacher was unaware that high level teaching assistants and teaching assistants are not permitted to teach an infant class. The headteacher is currently undertaking the additional teaching role to ensure that the school is complying with the legislation, but the school will be appointing an additional teacher.**

**Thomas Johnson Lower School**

**The school has a mixed reception and Year 1 class of 37 children. The headteacher was unaware that high level teaching assistants and teaching assistants are not permitted to teach an infant class. The Local Authority is currently working with the school to address the organisational issues and to ensure that the school is not in breach of the infant class size legislation.**

*Code 4.9 a) (iii) the number of admissions appeals held for each and every school in the area, and the number of appeals that were upheld.*

Please insert the data covering the period 1 September 2008 to the date of the report in Appendix A to show for each school:

- column Q - the number of appeals held;
- column R - the number of appeals upheld; and
- column S - the number of appeals pending from the date of the report onwards.

**Appendix A has been completed for the period 1 September 2008 to 9 June 2009 to show the number of appeals held (column Q), the number of appeals upheld (column R) and the number of appeals still to be heard. Appeals will continue to be received throughout the remainder of the academic year as late applications and in-year applications are processed.**

*Code 4.9 a) iv the extent to which the local authority and appeal panels in the area complied with the requirements of the Appeals Code, with reference to ensuring the timeliness and transparency of appeals, effective communications with parents and any other relevant matter.*

Please include in your comments, where there is evidence of non-compliance, what action have you taken.

**All appeal panels have complied with the requirements of the School Admission Appeals Code. All appeals have been processed and heard within the required timescale, panels have conducted themselves correctly at all times and parents have been treated fairly in all respects.**

4.9 d) *iii any other matters which affect the fairness of admission arrangements for schools for schools in the area.*

Please complete with reference to Choice Advice provided to parents applying for a secondary school place for the 2009/2010 school year.

Appendix 5 of the Code requires local authorities to provide an independent Choice Advice service that is focused on supporting the families who most need support in navigating the secondary school admissions process (paragraph 5). Choice Advice must be independent and free from any potential conflict of interest between the need of the local authority to allocate places and the advice that parents receive (paragraph 8). As a minimum, local authorities must ensure that Choice Advisers are not in the same management chain or reporting lines as the local authority's admissions staff (paragraph 9).

- a) Please confirm that your local authority has an independent Choice Advice service in place.

**Yes an independent Choice Advice Service is in place.**

- b) Please explain how you ensure the independence of the Choice Advice provided (for example, the Choice Advice service may be situated in the Parent Partnership service or Family Information Service).

**The Choice Advice service is situated in the Parent Partnership Service which operates at arm's length from the Local Authority and is based in a local school.**

- c) Please confirm that your Choice Adviser(s) are in not in the same line management chain or reporting lines as staff on the admissions team.

**The Parent Partnership Service is responsible for the line management of the Choice Adviser. That service is not in the same line management chain or reporting lines as staff in the admissions team. It is line managed by the Head of Policy and Strategy who reports to the Assistant Director Commissioning who in turn reports to the Director Children, Families and Learning.**

Choice Advice must be targeted at those parents who most need support with the secondary school admissions process (paragraph 10). Local authorities and Choice Advisers should market their service to ensure that they reach the families most in need of their support and that other relevant agencies and

professionals are aware of the service they provide (paragraph 11). Choice Advisers should be proactive in reaching 'hard to reach' parents and should develop good links with organisations that may be able to refer parents to them (paragraph 12).

- d) Please explain how you ensure Choice Advice reaches those parents who are most in need of it.
- **Extensive networking with other frontline agencies including MASS, TES, EWOs, Parent Support Advisers, Extended Schools Co-ordinators, Children's Centres and others**
  - **Drop-in sessions at schools and Children's Centres**
  - **Targeted work with families of children at school action and school action plus**
  - **Pro-active work within the Eastern European communities**
  - **Links with the Parent Partnership Service**
- e) Describe how has Choice Advice contributed to the fairness of the admissions process.
- **Wide publicity of support offered by the Choice Adviser**
  - **Production of four guides to support parents:**
    - **Helping your child prepare for their first school**
    - **Applying for places at Lower, Middle and Upper Schools**
    - **Starting school and applying for a school place if your child is at school action or school action plus**
    - **Applying for schools if your child has a statement of educational need**
  - **Collaborative work with the Assessment and Monitoring Team and Admissions Team to raise awareness of the need to start planning a year ahead for phase transfers. Proactive work targeting parents of children with statements in Years 3 and 7**
  - **Meetings with the Head of Admissions to highlight issues and concerns raised by parents**

Local authorities may provide Choice Advice at the primary school admission stage and for in-year applications (paragraph 5).

- f) Choice Advice is offered at the primary admissions stage?

**Yes**

- g) Choice Advice is offered for in-year applications?

**Yes**

It is good practice for Choice Advisers to provide support during the appeals process, particularly to those parents who accessed Choice Advice at the application stage.

- h) The Choice Adviser provides support during the appeals process?

**Yes - limited support is available to explain the process and help with paperwork**

- i) We plan to provide support during the appeals process in future?

**Yes – limited due to capacity. Protocol agreed with the Local Authority. Support will be offered to those previously in touch with the Choice Adviser at the time of application and/or where there are significant language or other difficulties**

## SECTION 2

### **FOR THE ACADEMIC YEAR WHICH STARTS AFTER THE REPORT IS MADE – 2009-2010:**

*Code 4.9 b) (i) the extent to which admission arrangements for schools in the authority's area serve the interests of children in care, children with disabilities, children with special educational needs and service children.*

Note: You may wish to point out if specialist staff from within the Council has contributed to this report.

**The existing admission arrangements serve the interests of 'looked after' children, who have the highest priority for admission. The Admissions Forum has extended the exceptions which may result in the published admission number for a school being exceeded to include 'looked after' children.**

**All schools are aware of the requirement to admit 'looked after' children arriving in-year and it has not been necessary to issue any directions to schools.**

**All schools are required to make provision for children with statemented and non statemented special needs and to have in place effective accessibility plans. Any school that submits a bid for funding from the 'Access Initiative' is required to forward a copy of their accessibility plan to the local authority before funding can be approved.**

**The Parent Partnership Service gives impartial advice to parents of children with special educational needs. A common concern for parents whose children are at School Action or School Action Plus and who are due to move to middle or upper school, is how to access information about the support their child will receive when they move school. The Parent Partnership Service, in collaboration with the Choice Adviser, produces leaflets for parents to help them through the process.**

*Code 4.9 b) (ii) the effectiveness of co-ordination.*

Note: You may wish to report on the authority's assessment of the effectiveness of any scheme for co-ordinating:

- a) the admission of pupils to relevant schools in the authority's area in the next academic year to begin after the date of the report, and
- b) the admission of pupils in the authority's area to other relevant schools in that academic year.



**The Local Authority has consulted and determined its co-ordinated schemes for admissions in 2010. The schemes were considered and agreed by the Admissions Forum.**

**The schemes for upper and primary (middle and lower) school admissions in September 2010 are compliant with the statutory requirements of the Co-ordination Regulations. The Local Authority has decided to implement the national closing date for primary admissions a year earlier than required by the regulations.**

**Although the Local Authority is not required to formulate its scheme for in-year admissions until 1 January 2010, the Local Authority has consulted and agreed its scheme, which is compliant with the regulations. The scheme was considered and agreed by the Admissions Forum.**

## SECTION 3

### **FOR ADMISSION ARRANGEMENTS THAT HAVE BEEN DETERMINED IN THE APRIL IMMEDIATELY BEFORE THE DATE OF THE REPORT IS MADE (determined by 15 April 2009 for admission in September 2010):**

*Code 4.9 c) (i) a statement of whether or not admission arrangements for maintained schools in the area complied with the mandatory requirements of this Code and admissions law.*

Are you satisfied that the admission arrangements for all maintained schools in your area are fully compliant with the Code?

**Yes, the admission arrangements for all maintained schools in the Central Bedfordshire Local Authority area are fully compliant with the Code.**

If NO, please specify what action you are taking – please see paragraph “Referring objections to the Schools Adjudicator” on page 10.

Following the compliance exercise in 2008, the Chief Adjudicator wrote to all local authorities with details of where the admission arrangements for schools in their area may not be compliant with the Code. Subsequently, local authorities were asked to report on the action that had been taken to amend the arrangements.

Are you satisfied that all the necessary action that was said to be needed has been taken for the arrangements determined by 15 April 2009?

**Yes**

If you are not completely satisfied, what further action are you taking?

### **The Schools Adjudicator and local authority reports**

*Code 4.10 local authority reports play an important part in monitoring schools’ compliance with this Code and ensuring an open and fair admissions system. The Schools Adjudicator **must** ensure that admission arrangements which come to his attention via local authority reports, and any Admission Forum reports that he receives comply with this Code and admissions legislation. This will form the basis of an annual report to the Secretary of State which will also include how fair access is being achieved locally. The*

*Schools Adjudicator's annual report to the Secretary of State on fair access replaces the biennial report of the Schools Commissioner.*

*Code 4.11 where a local authority report, under section 88P of the SSFA 1998, states that admission arrangements for maintained schools do not or may not conform with statutory requirements or the mandatory requirements of this Code, the Schools Adjudicator **must** decide whether the arrangements are compliant. In the case of Academies he may advise the Secretary of State on whether he considers the arrangements are compliant and the Secretary of State will reach a decision on any changes that are necessary.*

### **Referring objections to the Schools Adjudicator**

*Code 4.12 local authorities **must** refer an objection to the Schools Adjudicator if they consider, or are made aware of any admission arrangements proposed by any other admission authority that are unlawful, that do not comply with the mandatory requirements or guidelines in this Code, or that appear to be unfair, unclear and subjective or encouraged social segregation. Local authorities **must** refer the objection as soon as such admission arrangements come to their attention. Local authorities may refer such an objection with their report or separately.*

*Code 4.13 local authorities **must** also consider carefully any representations they receive from parents about the admission arrangements for schools for which they are not the admission authority and whether they will use their power to make an objection to the Authority.*

Using Appendix A, please identify any schools (column U) that you have referred to the OSA, or may be referring to the OSA by the 31 July 2009.

## SECTION 4

### OTHER MATTERS:

Code 4.9 d) (i) details about the current membership of the Admission Forum for the area

Please list the bodies represented and the number of representatives in each category. Do **NOT** give the names of members.

<b><u>Group</u></b>	<b><u>Number of Representatives</u></b>
<b>Local Authority:</b>	1 (Portfolio Holder for Children, Families and Learning)
<b>Schools:</b>	
Community	1 Upper School Head Teacher 1 Middle School Head Teacher 1 Lower School Head Teacher
Voluntary Controlled	2 Governors or Head Teachers
Foundation / Trust	1 Upper School Head Teacher 1 Middle School Head Teacher
Voluntary Aided	1 C of E Lower School Head Teacher 1 RC Lower School Head Teacher 1 VA Middle School Head Teacher
Lower Schools (any)	1 Governor or Head Teacher
<b>Religious Denominations:</b>	
Church of England Diocese	1 Diocesan Board Representative
Roman Catholic Diocese	1 Diocesan Board Representative
<b>Academy:</b>	1 All Saints Academy
<b>Parents:</b> (must be a resident in the area and the parent of a child who is of compulsory school age or who is 2+ and receiving primary education)	2 Parent Representatives
<b>Local Community Representatives:</b>	1 Ethnic Minority Groups 1 Looked After Children 1 Armed Forces

Please add any comments on the transition from the previous to the new constitution of the Forum; the effectiveness of the Forum in challenging non-compliant admission arrangements; the contribution of the Forum in promoting fair access.

**While the Central Bedfordshire Admissions Forum which was newly constituted in November 2008, as part of the transition to a unitary Central Bedfordshire Council, did to some extent anticipate the membership requirements of the new School Admissions Code, further changes were approved by the Executive in March 2009. In particular, these changes added places for two new voluntary controlled school representatives, a representative of the future All Saints Academy and a second parent governor. Minor changes were also made to the representation by religious denominations to comply with the new Code.**

**The Forum has met on three occasions since its constitution in November 2008. It has considered the fairness of the Council's admission arrangements in light of any proposed changes and considered a report from the Local Authority on the consultation process which identified some instances of non-compliance among foundation, trust and voluntary aided schools. *A further report following the determination of admission arrangements has assured the Forum that the admission arrangements for all schools in Central Bedfordshire are compliant with the School Admissions Code. (To be confirmed at the meeting on 24 June)***

The Admission Forum may make a report to the Schools Adjudicator. If the Forum wishes to make such a report it would be helpful to include the report with the report from the local authority.

**The Admissions Forum does not wish to make a report to the Schools Adjudicator in 2009.**

Whether or not the Admission Forum is making/submitting a report, please confirm that the Forum has seen, or will see, this LA report.

***This report was considered by the Forum on 24 June 2009. Members of the Forum endorsed the information provided in the report. (To be confirmed at the meeting on 24 June)***

*Code 4.9 d) (ii) the proportion of children currently on free school meals at each school in the area.*

The data provided by the Local Authority to the DCSF in January 2008 has been “cleaned” and is included in Appendix A at the end of this template.

If the data for 2009 is significantly different please state how it differs.

**The data in respect of some schools, marked with a hash (#), has been omitted from the DCSF data. The Local Authority has been advised that where the number of children eligible for free school meals is very low the data has been omitted to ensure that individual children cannot be identified.**

**The percentage of children eligible for free school in January 2009 shows a general increase from January 2008. In terms of significant changes, the percentage of eligible children at the following schools (excluding special schools) has changed from 2008 by 5 percentage points or more (i.e. where the number of pupils eligible for free school meals in 2009 less those eligible for free school meals in 2008 is greater than 5% of the 2009 pupil headcount).**

School	Percentage of pupils known to be eligible for free school meals	
	2009	2008
<b>Downside Lower</b>	<b>41.1%</b>	<b>29.56%</b>
<b>Slip End Lower</b>	<b>14.0%</b>	<b>7.69%</b>
<b>Sundon Lower</b>	<b>16.1%</b>	<b>4.16%</b>

Using and interpreting the data, please comment on any features associated with Fair Access to allocation of school places and meeting parental preferences.

**The increase in free school meals can be attributed to the current economic climate but there is no suggestion that this may have affected the allocation of school places or the meeting of parental preferences.**

*Code 4.9 d) (iii) any other matters which affect the fairness of admission arrangements for schools in the area.*

Please provide evidence about or any information, that in your view affect the fairness of admission arrangements by improving or reducing the fairness for schools in your area.

**The Local Authority is not aware of any issues which might affect the fairness of admission arrangements for schools in the area.**

## SECTION 5

### RANDOM ALLOCATION OF SCHOOL PLACES

1. Was random allocation being used in any way by the local authority in allocating places at community and/or voluntary controlled schools for September 2009:

(a) infant/primary/middle deemed primary schools?

**No**

If yes, please specify how?

(b) in secondary/middle deemed secondary schools?

**No**

If yes, please specify how?

2. Do the determined admission arrangements for admission in 2010 use random allocation in the same way as 2009 arrangements?

**N/A**

If no, please specify the changes that have been made.

3. What are your views on whether the outcomes of random allocation as used by the local authority result in fair outcomes for parents?

**N/A**

4. What evidence do you have of parental reaction to the use of random allocation and parental understanding of how the system works?

**N/A**

5. For all foundation and voluntary aided schools in your area, please indicate in Appendix A (column T), those schools that use random allocation in any part of its admission arrangements.

**N/A**



## SECTION 6

### ADMISSION OF TWINS TO THE SAME SCHOOL

1a). What is your policy on the admission of twins (and multiple births) to primary schools?

**The Local Authority would seek to admit those children to the same school if that is the wish of the parent / carer.**

b). What is your policy when the last place of the admission number is allocated to one twin (or fewer than all born in a multiple birth)?

**If the last place offered is to the first child from a family with twins or multiple births, a place to the subsequent child or children is offered provided the admission would not breach infant class size limits. If the admission of a subsequent child / children would cause a breach of infant class size limits, the last place is offered in alphabetical order of the first name.**

2a). What is your policy on the admission of twins (and multiple births) to secondary school?

**The Local Authority would seek to admit those children to the same school if that is the wish of the parent / carer.**

b) What is your policy when the last place of the admission number is allocated to one twin (or fewer than all born in a multiple birth)?

**If the last place offered is to the first child from a family with twins or multiple births, a place to the subsequent child or children will be offered even if it takes the school above its published admission number.**

3) Please indicate below, those Foundation and Voluntary Aided schools within your area, that do not have a policy on admission of twins (and multiple births).

**As part of the co-ordinated admission arrangements, the Local Authority would ask the school to admit the subsequent child/ children in accordance with 1b and 2b above.**