

**Local Authority Report**

to

**The Schools Adjudicator**

from

**Torbay Local Authority**

to be provided by

**30 June 2020**

**Report Cleared by: Name Rachael Williams**

 **Title Assistant Director Education, Learning & Skills**

 **Telephone number 01803 208743**

 **Email: rachael.williams@torbay.gov.uk**

**Date submitted: 29 April 2020**

**By: Name Tricia Harwood**

 **Title Senior Officer, Schools Services**

 **Telephone number 01803 208245**

 **Email: tricia.harwood@torbay.gov.uk**

[**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** **by 30 June 2020 and earlier if possible**

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**Introduction and guidance on completing the report – Revised April 2020**

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. This is a revised template issued in the light of the Covid-19 pandemic.
2. This template requests local authorities only for:
3. 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;
4. 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.
5. We would be grateful if local authorities would follow the approach used in statutory provisions and in the Department for Education Statistical First Release[[1]](#footnote-1) and the Education Middle School (England) Regulations 2002[[2]](#footnote-2).

1. Local authorities are, of course, free to comment on any other matters not specifically addressed in this template if they wish to do so under section 3. The views expressed by local authorities in previous years also remain a matter of public record.
2. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2020**.

**Information requested**

# [Section 1 - Normal point of admission](#Text69)

## Co-ordination

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. 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  | n/a |  |  |  |
| 1. Please give examples to illustrate your answer if you wish:

Schools worked closely with LA staff at all times, including following school closures due to Covid19 |

## Looked after and previously looked after children

1. 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 [x] Very well [ ] Not applicable[[3]](#footnote-3)

* + 1. 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 [x] Very well [ ] Not applicable3

* + 1. 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 [x] Very well [ ] Not applicable3

* + 1. 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 [x] Very well [ ] Not applicable3

1. Priority in admission arrangements for 2021 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.

We do not believe we can check evidence sufficiently to include this as a criterion

|  |
| --- |
| 1. If you wish to 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**:
 |

## Special educational needs and disabilities

# Section 2 - In-year[[4]](#footnote-4) admissions

1. 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:

The SEN Team work closely with schools to ensure pupils with EHCPs have a smooth, planned transition into school.

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

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

Not all schools take part in our co-ordinated scheme and some do not regularly notify us of applications so it is difficult to monitor this effectively and to provide proper support to all parents.

## **Looked after children and previously looked after children**

1. 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 [x] Very well [ ] Not applicable[[5]](#footnote-5)

1. How well do the **in-year admission** systems in other local authority areas serve the interests of your looked after children?

[ ] Not at all [x] Not well [ ] Well [ ] Very well [ ] Not applicable[[6]](#footnote-6)

1. How well does your **in-year 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 [x] Very well [ ] Not applicable6

1. How well does your **in-year admissions** system serve the interests of previously looked after children?

[ ] Not at all [ ] Not well [ ] Well [x] Very well [ ] Not applicable6

|  |
| --- |
| 1. If you wish please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** forlooked after and previously looked after children:

The biggest issue we have is a delay for our children placed out of area and local authorities and schools dragging their heels. We try not to direct but usually if delay occurs the threat of direction is used. The biggest delays happen for children with EHCPs.Our schools work very well in partnership with the Virtual School and are very proactive in admitting our children. We try not to move children between schools and only usually need to apply for a Torbay school when a child returns to Torbay after being placed more than 50 miles away.   |

## **Children with special educational needs and/or disabilities**

* + 1. 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 [x] Well [ ] Very well [ ]  Not applicable6

* + 1. 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 [x] Well [ ] Very well [ ] Don’t know

|  |
| --- |
| * + 1. Please give examples of 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:

The SEN Team work with schools to ensure students with SEND / EHCP’s are admitted in-year ensuring that the appropriate support and guidance is given to ensure a smooth transition. There are however sometimes challenges where the school feel they have a disproportionate number of SEMH students within their schools. These cases then require a great deal of negotiation and direction in some cases. |

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| * + 1. If you wish please provide any comments about **in-year admissions** in respect of other children:

In some year groups we do not have any surplus places and therefore it is difficult to accommodate the wishes of parents. We sometimes have to split families, which is particularly hard where they have just moved to the area. |

## Fair access protocol

1. Has your fair access protocol been agreed[[7]](#footnote-7) with the majority of state-funded mainstream schools in your area?

[x] Yes for primary

[x] Yes for secondary

|  |
| --- |
| 1. If you have not been able to tick both boxes above, please explain why:
 |

|  |
| --- |
| 1. How many children were admitted to schools in your area under the fair access protocol between 1 April 2019 and 31 March 2020?
 |
| Type of school | Number of children admitted |
| Primary aged children | Secondary aged children |
| Community and voluntary controlled  | 0 | 0 |
| Foundation, voluntary aided and academies | 0 | 7 |
| Total | 0 | 7 |

1. 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 [x] Very well [ ] Not applicable[[8]](#footnote-8)

|  |
| --- |
| 1. Please make any relevant comment on the protocol not covered above if you wish.

Any fair access protocol will struggle when there is confusion and proscription around the information schools can share. The understanding and practice vary between areas making placement of out of area children difficult. |

|  |
| --- |
| **E.** Any other comments on the admission of children **in-year** not previously raised if you wish. |

# 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 2021.

|  |
| --- |
| Much faster to complete than the template that has been used in previous years. |

Thank you for completing this template.

Please return to Lisa Short at OSA.Team@schoolsadjudicator.gov.uk by 30 June 2020

1. [Department for Education Statistical First Release](https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2018) [↑](#footnote-ref-1)
2. [The Education Middle School (England) Regulations 2002](https://www.legislation.gov.uk/uksi/2002/1983/contents/made) [↑](#footnote-ref-2)
3. ‘Not applicable’ will only be appropriate if there are no children falling within this definition. [↑](#footnote-ref-3)
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 (ie 31 December) in normal years of admission. [↑](#footnote-ref-4)
5. ‘Not applicable’ will only be appropriate if there are no children falling within this definition. [↑](#footnote-ref-5)
6. ‘Not applicable’ will only be appropriate if there are no children falling within this definition. [↑](#footnote-ref-6)
7. An existing protocol remains binding on all schools up until the point at which a new one is adopted. [↑](#footnote-ref-7)
8. ‘Not applicable’ would mean that there were no hard to place children for which the protocol was required. [↑](#footnote-ref-8)