



Office of
the Schools
Adjudicator

**Template for
Local Authority Report**
to
The Schools Adjudicator
from

Kirklees Local Authority
to be provided by
31 October 2022

Report Cleared by: Name Jo-Anne Sanders

Job Title Service Director, Learning & Early Support

Telephone number 01484 221000

Email: jo-anne.sanders@kirklees.gov.uk

Date submitted: 27 October 2022

By: Name Sharon Oldfield

Job Title Pupil Admissions Manager

Telephone number 01484 221000

Email: sharon.oldfield@kirklees.gov.uk

Website: [Office of the Schools Adjudicator](#)

**Please email your completed report to: [Office of the Schools Adjudicator](#) by
31 October 2022 and earlier if possible**

Contents

Introduction

Guidance on completing the template

Section 1 - Normal point of admission.....	5
A. Co-ordination	5
B. Looked after and previously looked after children	6
C. Special educational needs and disabilities	8
Section 2 - In-year admissions	7
A. Co-ordination of in-year admissions	9
B. Looked after children and previously looked after children	9
C. Children with special educational needs and/or disabilities	10
D. Fair access protocol.....	11
E. Directions	9
F. General comments on in-year admissions.....	10
Section 3 - Other Matters	10
Section 4 – Feedback	13

Introduction

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 3.30 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. Paragraphs 6 and 3.30 of the Code require that each local authority publish its report locally. Local authorities do not have to include this introduction and guidance in their locally published report.
2. In 2020 and 2021, we asked far fewer questions than in previous years, asking only for the minimum information required by the Code. This was in response to the pressures on local authorities and others in the light of the Covid-19 pandemic. This year, we have again sought to keep the information requested to the minimum. We have, at the request of the Department for Education, asked a small number of additional questions relating to the impact of the new Code which came into force on 1 September 2021.
3. The new Code also changes the period to be covered by reports to the adjudicator and the deadline for submitting reports to the adjudicator. **This year's report must cover the 2021/2022 academic year and be submitted to the Office of the Schools Adjudicator by 31 October 2022.**

Guidance on completing the template

4. In a departure from previous practice, we have included all the guidance on completing specific parts of the template in this section. We hope that this will be helpful. This is in response to feedback that including guidance and definitions in the body of the template could make the report harder for readers to follow and less accessible. There is no requirement for local authorities to include the introduction and the guidance in their published reports, but they are free to do so if they wish.
5. We should be grateful if in completing questions which ask for information about primary and secondary schools and/or pupils, local authorities would follow the approach to classification of schools used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002².
6. Guidance on specific questions and/or meaning of specific terms in this report:
 - a. "in-year admissions": This means admission at the start of any school year to a year group 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

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

² [The Education Middle School \(England\) Regulations 2002](#)

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.

b. Not applicable means at questions:

Section 1: B.i. - B.iv. that there were no children falling within the relevant definition.

Section 1: B.v. that there were no schools for which the local authority was the admission authority at 1 September 2021.

Section 1: B.vi. that there were no schools in the local authority's area for which the local authority was not the admission authority at 1 September 2021.

Section 2: B.i. - B.iv. that there were no children falling within the relevant definition.

Section 2: C.i. that there were no children falling within the definition.

Section 2: D.iv. that there were no hard to place children referred to the protocol.

7. 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.
8. 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.

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				Yes
	Year 7			Yes	
	Other relevant years of entry				Yes

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

The year 7 22/23 admission round saw a forecasted peak in demand for places. This presented challenges for the Local Authority (LA) despite early conversations taking place with the school system. Extensive allocation testing took place to identify how many places and where those additional places were needed, before finalising the offers.

Whilst sufficient places were available for national offer day (so every applicant was allocated a school within a reasonable distance), the challenge for places continued after offer day to accommodate the late applicants.

Every year the LA and our schools/academies invest a lot of effort to encourage families to apply on-time, but there are always a small proportion who do not. The impact of late applications was even more pronounced this year due to the high demand on secondary school places.

Like every year, checking Own Admission Authority (OAA) schools' criteria and ranking is a time-consuming task and not an LA responsibility, but from our previous experience a task we feel is necessary to be confident everything is processed correctly.

Our neighbouring Local Authorities do not co-ordinate for middle schools (year 6) or for secondary in Year 9, but Kirklees does, and we have a good system in place and communicate well with them to ensure applications are received for all that need to apply.

We continue to receive an increase in the number of applications received for children from split families, which requires additional processing and the requesting of evidence to establish a child's permanent address.

Co-ordinating school places for children with Education Health and Care Plans (EHCPs) with our colleagues in Special Educational Needs Assessment and Commissioning Team (SENDACT) continues to be a challenge due to the misaligned deadlines. The deadline for finalised EHCPs is after the Secondary school allocations have been run and very close to national offer day. so this can

B. Looked after and previously looked after children

i. How 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

ii. How 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

iii. How 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

iv. How 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

v. Please confirm that your local authority has included children adopted from state care outside England in its definition of previously looked after children in admission arrangements for schools for which it is the admission authority

Yes No Not applicable

vi. How confident are you that all other admission authorities in your area have included children adopted from state care outside England in their definitions of previously looked after children in admission arrangements for schools for which they are the admission authority?

Confident all have Confident some have Not aware of whether all or some have Not applicable

vii If you wish, please give 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**:

Kirklees Pupil Admissions and the Kirklees Virtual School have an extremely good working relationship and positively focus on admissions for children currently in care and previously looked after.

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:

Kirklees LA has a clear process for considering requests for placement changes for pupils with EHCPs. It would be expected, unless in exceptional circumstances, that any placement move is informed by a review of the EHCP.

Where there is change mainstream to mainstream, consideration would be made through the statutory consultation process.

Where there is a request for change from mainstream to specialist, these requests are considered as part of a robust casework, informed by relevant professionals and consideration prior to consultations discussed as part of a multi-agency panel process.

Wherever possible changes to placements are agreed in a planned manner, avoiding the need for in-year disruption.

The statutory Change of Phase deadline of 15 February for EHCP pupils at school phase transfer was met for 98% of pupils.

Kirklees Virtual School have found some challenges were reported for looked after children with EHCPs in areas where there are sufficiency issues and/or provisions are unable to meet individual need.

Section 2 - In-year admissions

A. Effect of Code changes on in-year admissions

Please provide any comments you wish to make on the effect of the changes to the Code's provisions for in-year admissions. It would be particularly helpful to have comments on whether you think the changes have made it easier or not for parents to secure places for children in-year?

Kirklees Pupil Admissions have been able to work to the new in-year admission processing timescales, by securing additional council funding to increase the capacity of the team. The changes in the Code have meant more timely decisions for parents on the outcome of their application but have only helped parents secure places for their children in-year where the schools have places. There are instances of own admission authority schools not working within the statutory timescales so the LA continues to have supportive conversations with those schools to remind them of their responsibilities. We would support a move towards statutory in-year co-ordination to ensure timely, consistent and fair processing of all applications for children and families. We are working on plans to consider offering in-year co-ordination ahead of any statutory changes being made to the School Admissions Code

B. Looked after children and previously looked after children

- i. How 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

- ii. How 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

- iii. How 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

- iv. How does your **in-year admission** system serve the interests of previously looked after children?

Not at all Not well Well Very well Not applicable

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:

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 well Not well Well Very well Not applicable

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 well Not well Well Very well Do not 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:

Kirklees LA has a clear process for considering requests for placement changes in year. It would be expected, unless in exceptional circumstances, that any placement move is informed by a review of the EHCP.

Where there is an in year change mainstream to mainstream, consideration would be made through the statutory consultation process.

Where there is a request for in year change from mainstream to specialist, these requests are considered as part of a robust casework, informed by relevant professionals and consideration prior to consultations discussed as part of a multi-agency panel process.

Wherever possible changes to placements are agreed in a planned manner, avoiding the need for in-year disruption.

There are some local sufficiency issues in relation to meeting parental preference for special school placements.

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

D. Fair access protocol

i. Do you have a fair access protocol agreed 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:

iii. How many children were admitted to schools in your area under the fair access protocol between 1 August 2021 and 31 July 2022?

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
Community and voluntary controlled	0	3
Foundation, voluntary aided and academies	3	22
Total	3	25

iv. How well do you consider hard to place children are served by the fair access protocol in your area?

Not at all well applicable

Not well

Well

Very well

Not applicable

v. Please provide any comments you wish on the protocol not covered above. It would be particularly helpful to have any comments on the impact of the Code changes on the operation of the FAP in your area and the ability to secure places for vulnerable children:

The Kirklees Fair Access Protocol (FAP) ensures the needs of children and young people, who have difficulty in securing a school place, continue to be met appropriately and efficiently through enrolment in a mainstream school setting, minimising the time that pupils spend out of school. The protocol ensures a fair and transparent process that has the confidence of schools, children and young people and parents/carers.

It is felt that the dedicated FAP section in the 2021 Code and 2021 Department for Education (DfE) Guidance has supported understanding of the process and has had a positive impact on the operation of FAP.

In the majority of cases, there is a clear willingness of schools in Kirklees wishing to take a pupil centred approach in relation to the Fair Access Protocol.

E. Directions

How many directions did the local authority make between 1 August 2021 and 31 July 2022 to maintained schools for which the local authority is not the admission authority to admit children (including children looked after by the local authority but resident in another area)?

Total Number of children	Of which, looked after	Of which, not looked after
	0	0

F. If you wish, please provide 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?

When an admission authority refuses admission because it believes the admission would 'prejudice the provision of efficient education or efficient use of resources' but there appears to be places available in the year group, it creates a lack a clarity and transparency for parents. Whilst a parent can appeal such a decision, this creates a barrier for some parents and a burden for others. There can also be a delay to the placement of a child without a school place.

In addition to the to the challenges this presents to parents, it can also be a challenge for Local Authorities undertaking their school places sufficiency duties where there are limited places available in other schools in the area.

A clearer definition of "prejudice the provision of efficient education or efficient use of resources" would be a helpful start. Then clear routes for Local Authorities, other schools and Department for Education to be able to challenge the approach taken by some admission authorities in a timely manner, rather than this being left to individual parents.

Section 4 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2023.

Thank you for completing this template.

Please return to [Office of the Schools Adjudicator](#) by 31October 2022