



Office of  
the Schools  
Adjudicator

**Local Authority Report**

to

**The Schools Adjudicator**

from

**East Sussex Local Authority**

to be provided by

**30 June 2020**

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**Please email your completed report to: [osa.team@schoolsadjudicator.gov.uk](mailto:osa.team@schoolsadjudicator.gov.uk)  
by 30 June 2020 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. The report **must** be returned to the Office of the Schools Adjudicator by **30 June 2020**.
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. In this template we would be grateful if local authorities would:
  - a. 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. note that we no longer 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’.

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 6. The views expressed by local authorities in previous years also remain a matter of public record.

4. We are making very few changes to the questions this year. We have changed the wording slightly in Section 1B. We have made some small changes to the questions and tables asking for information about numbers of in-year admissions in section 2A. We have done this because we understand that local authorities may not always know about all such admissions. We have also split the table in Section 2A into two separate tables dealing respectively with primary and secondary aged pupils. Following the responses from local authorities, we have decided to go ahead with a change in the way questions asking about proportions of schools collect this information.
5. We continue to ask about the use of the premiums in admission arrangements but have provided further guidance on this in footnote 13. In particular, we ask local authorities to include in their responses schools using part of any of the

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

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

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 2021 to its voluntary controlled and community schools.

24/02/2020

- 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.

24/02/2020

iii. Please provide a link to where the admission arrangements can be viewed on the local authority's website on publication.  
<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/consultations/arrangements/download3/>

- 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 2020?

None  1% to 33%  34% to 66%  67% to 99%  All

|   | Primary | Secondary |
|---|---------|-----------|
| v. How many sets of determined 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    | None      |

vi. Please provide any comments on the determination of admission arrangements not covered above.

Some own admission authority schools fail to realise that they need to determine their arrangements every year and forward them to the local authority, even where they are unchanged from previous years.

## B. Co-ordination

i. Provision of rankings:

a. What proportion of schools for which the local authority is not the admission authority provide you with rankings by the correct date?

None  1% to 33%  34% to 66%  67% to 99%  All

b. Do you check these rankings in all cases?

Yes  No  Where information to check is available

c. If 'yes', what proportion are correctly ranked?

None  1% to 33%  34% to 66%  67% to 99%  All

d. Do you rank preferences for schools for which the local authority is not the admission authority?

Yes  No

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

Yes  No

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

| iii. 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 |
| iv. Please give examples to illustrate your answer:<br>We had to contact a small number of schools who had not provided rankings in time but in almost all cases they are quick to react to our request. Officers assist schools throughout the process where queries and issues occur. |  |  |  |   |

### 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**?

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 2021 for adopted children previously in care abroad.

- a. Do the arrangements for any **community or voluntary controlled primary** schools include this priority for 2021?  Yes  No

If yes please provide the number of community or voluntary controlled primary schools that include this priority.<sup>4</sup>

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

<sup>4</sup> Please ensure your answer is written in numerical form.

- b. Do the arrangements for any **community or voluntary controlled secondary** schools include this priority for 2021? Yes No

If yes please provide the number of community or voluntary controlled secondary schools that include this priority.<sup>4</sup>

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- c. Do the arrangements for any primary schools for which the local authority is **not the admission authority** include this priority for 2021?  
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.<sup>4</sup>

- d. Do the arrangements for any secondary schools for which the local authority is **not the admission authority** include this priority for 2021?  
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.<sup>4</sup>

- 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.

We have included these children as part of LAC and previously LAC criteria. We remain concerned that this will be difficult to apply equally as 'abroad' is not homogenous and paperwork evidencing previously in care status will be very variable and in some cases absent altogether. Equally there will be parts of the world where care is not available for vulnerable children, who are obliged to rely on charities.

- 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**:

We did further work this year providing guidance to our social work colleagues regarding the importance of meeting admission deadlines and clarifying the Admissions Code's definition of LAC and previous LAC. We continue to ensure that schools for which the local authority is not the admission authority are aware of the looked after status of these children and how to treat such applications.

## 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:  
Unless a child has an EHCP, issues relating to SEND are not included in the admissions process as all schools are considered able to meet a child's SEND.

## Section 2 - In-year<sup>5</sup> admissions

### A. The number of in-year admissions<sup>6</sup>

- i. Please complete the following table giving the number of **in-year admissions** to primary schools in your local authority area that you are aware of.

|  |                       |
|--|-----------------------|
|  | Primary aged children |
| Number of <b>in-year admissions</b> between 1/9/18 and 31/8/19 | 3601                  |

- ii. Do you consider this figure represents all such admissions?

Yes       No

- iii. If you do not consider the figure represents all such admissions 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

<sup>5</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 (ie 31 December) in normal years of admission.

<sup>6</sup> By admissions we mean children actually accepting an offer and starting at the school.

other?

(please specify)

iv. Please complete the following table giving the number of **in-year admissions** to secondary schools in your local authority area that you are aware of.

|  |                         |
|--|-------------------------|
|  | Secondary aged children |
| Number of <b>in-year admissions</b> between 1/9/19 and 31/3/20 | 1717                    |

v. Do you consider this figure represents all such admissions?

Yes  No

vi. If you do not consider the figure represents all such admissions 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?

(please specify)

## 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 2019/20?

a) Primary:

Not applicable<sup>7</sup>  None  1% to 33%  34% to 66%  67% to 99%  All

b) Secondary:

Not applicable<sup>7</sup>  None  1% to 33%  34% to 66%  67% to 99%  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  1% to 33%  34% to 66%  67% to 99%  All  
b) Secondary:  None  1% to 33%  34% to 66%  67% to 99%  All

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

We do offer management of in year admissions to academies as a traded service.

A legal requirement to co-ordinate in-year admissions would enable the local authority to standardise procedures across the county and ensure that parents receive an offer of one school place in a timely manner when moving into/within the area. Some schools do not provide us or parents with responses in a timely manner, potentially leaving children out of school.

## C Looked after children and previously looked after children

- 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>7</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>7</sup>

- iii. 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  Very well  Not applicable<sup>7</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>7</sup>

v. 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:

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

We continue to ensure that controlled schools and schools for which the local authority is not the admission authority are aware of the correct procedure in responding to these applications and in offering places in a timely manner.

## 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>8</sup>

- 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 about **in-year admissions** for children with special educational needs and/or disabilities:

For children with SEND but no EHCP the processes are the same as for any other in year admission. The exception would be where there is evidence of challenging behaviour and the child would be placed under the Fair Access Protocol. Where significant additional need is identified for an in-year admission who does not have an EHCP, schools are able to refer for support from ISEND Support Services who will provide the receiving school with additional support, advice and guidance to plan for and meet the child/young person's needs.

## E Other children<sup>9</sup>

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

<sup>8</sup> 'Not applicable' will only be appropriate if there are no children falling within this definition.

<sup>9</sup> Other children are those not looked after, previously looked after or with special educational needs and/or disabilities.

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

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

The vast majority of in year admissions are processed in a timely manner by the schools concerned and a place offered where it exists, or refused and offered appeal rights as appropriate. If co-ordinated in-year admissions was a legal requirement we feel this process would be improved, with decisions being made quicker and with less errors.

## F Fair access protocol

i. Has your fair access protocol been agreed<sup>10</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:

iii. 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        | 82                          | 45                      |
| Foundation, voluntary aided and academies | 55                          | 123                     |
| Total                                     | 137                         | 168                     |

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>11</sup>

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

We continue to experience some challenges with respect to compliance with the

<sup>10</sup> An existing protocol remains binding on all schools up until the point at which a new one is adopted.

<sup>11</sup> 'Not applicable' would mean that there were no hard to place children for which the protocol was required.

protocol in from both academies and maintained schools. Schools remain concerned that behaviour levels resulting in exclusions are not consistent, and limitations of what the protocol and admissions code take into account.

**G.** Any other comments on the admission of children **in-year** not previously raised.

### **Section 3 - Directions**<sup>12</sup>

**A.** How many directions did the local authority make between 1 April 2019 and 31 March 2020 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.** Please add any comments on the authority's experiences of making directions in these circumstances.

While we have had difficulty on occasions these have been resolved by discussions with the school and we not been required to direct them to admit.

**C.** How many directions did the local authority make between 1 April 2019 and 31 March 2020 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                           |

**D.** Please add any comments on the authority's experiences of making directions in these circumstances.

<sup>12</sup> The term 'direction' refers to a final direction to admit and not a 'minded to direct' letter.

| <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 2019 and 31 March 2020?                                   | 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 2019 and 31 March 2020? | 0  | 0                                  | 0  | 0                                    |
| How many requests were outstanding as at 31 March 2020?  | 0  | 0                                  | 0  | 0                                    |
| <b>F.</b> Please add any comments on the authority's experiences of requesting directions in these circumstances.  |  |                                    |  |                                      |

## **Section 4 - Pupil, service and early years pupil premiums (the premiums)<sup>13</sup>**

| <b>A. How many 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 2021? | Primary | Secondary <sup>14</sup><br><u>Including</u> all through <u>excluding</u> grammar | Grammar <sup>14</sup> |
|--|---------|--|-----------------------|
| Early years pupil premium  | 0       | 0  | N/A                   |
| Pupil premium  | 0       | 0  | N/A                   |
| Service premium  | 0       | 0  | N/A                   |
| Total number of schools using at least one premium in their oversubscription criteria  | 0       | 0  | N/A                   |

| <b>B. How many 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 2021? | Primary | Secondary <sup>14</sup><br><u>Including</u> all through <u>excluding</u> grammar | Grammar <sup>14</sup> |
|--|---------|--|-----------------------|
| Early years pupil premium  | 0       | 0  | N/A                   |
| Pupil premium  | 0       | 0  | N/A                   |
| Service premium  | 0       | 1  | N/A                   |

<sup>13</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 '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>14</sup> Do not include use in post 16 arrangements

|   |   |   |     |
|---|---|---|-----|
|   |   |   |     |
| Total number of schools using at least one premium in their oversubscription criteria | 0 | 1 | n/a |

## **Section 5 - Electively home educated children**

**A.** How many children were recorded as being electively home educated in the local authority area on 30 March 2020?

926

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

We continue to experience issues when a child's home education is deemed to have failed and either a School Attendance Order is named for their previous school or they apply for another school. These are most frequent when the child received exclusions or had behavioural issues prior to withdrawing to home education.

## **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?

## **Section 7 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2021.

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 2020