



Office of  
the Schools  
Adjudicator

**LOCAL AUTHORITY REPORT**  
**TO**  
**THE SCHOOLS ADJUDICATOR**  
**FROM**  
**Kent Local Authority**

**30 JUNE 2015**

**Report Cleared by (Name): Keith Abbott**

**(Title): Director of Education Planning and Access**

**Date submitted: 30<sup>th</sup> June 2015**

**By (Name): Scott Bagshaw**

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**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto:osa.team@osa.gsi.gov.uk)**

## **Introduction**

1. Section 88P of the School Standards and Framework Act 1998 requires Local Authorities to make an annual report to the adjudicator.
2. The School Admissions Code (the Code) at paragraph 6 sets out the requirements for reports by local authorities. 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 local issues.
3. There are other matters concerning admissions, some suggested by local authorities, about which it would be useful to have a view. Rather than undertake a separate exercise in which information is sought from local authorities, you are asked to include any relevant information in your report to the adjudicator.

## **Completing the Template**

**This template is designed to be completed electronically - boxes will expand as necessary.**

**Throughout this report, please include middle deemed primary schools as for pupils up to age 11 and middle deemed secondary schools as for pupils over 11. For schools that have children of primary and secondary age and are not designated as a middle school please record them as all-through schools.**

**Where a type of school is given, foundation covers foundation schools and foundation schools with a foundation (trust schools). Academy schools should be recorded by the individual type of academy school, namely, academy, free school, UTC or studio school.**

### **1. Local Authority school numbers**

Please give the total number of schools by type within your local authority as at 30 June 2015.

<b>Type of School</b>	<b>Number of Schools for pupils up to age 11</b>	<b>Number of Schools for pupils over age 11</b>	<b>Number of all-through schools</b>
<b>Community</b>	177	6	0
<b>Voluntary Controlled</b>	96	1	0
<b>Voluntary Aided</b>	58	3	0
<b>Foundation</b>	16	19	0
<b>Academy</b>	96	67	2
<b>Free School</b>	3	3	0
<b>UTC</b>	N/A	1	0
<b>Studio School</b>	N/A	0	0

## 2. Admission Arrangements for Admissions in September 2015

The Code at paragraph 3.23 requires that each local authority must report on how well the admission arrangements for state-funded schools (of all types) in its local authority area serve the interests of the groups of children listed below.

Please include details of:

1. Any ways in which the each of the following groups of children have been especially well served; and
2. Any difficulties that have arisen for each group of children while allocating places for admission in September 2015.

(a) How well are the interests of **looked after children** served?

Tick as appropriate: Fully ☒ In part ☐ Not satisfactorily ☐

Comments: Kent County Council continues to ensure that children in local authority care are afforded the highest possible priority in schools' oversubscription criteria. Kent Voluntary Controlled schools make no distinction in their oversubscription criteria between Children In Care (CiC) in non-faith families, ranking them before any other criterion is applied. Some Voluntary Aided schools in Kent continue to exercise the right to rank CiCs from non-faith families below faith applicants, but in practice, this rarely results in looked after children not being offered a place as they are still considered above all other non-faith children.

Kent continues to experienced a steady influx of unaccompanied Asylum seeking Children in Care (UASCIC), these are predominantly secondary aged young people who are seeking refuge in the UK . Concerns regarding the age assessment process of these Children & Young People (CYP) have been raised by Headteachers regarding the accuracy of these judgments. In two cases Asylum seeking CIC took KCC to court to have the age assessment lowered. This has made schools very apprehensive about admitting UASCIC due to safeguarding of other young people. (note: UASCIC prefer to be classed as CIC it gives them the right to remain without challenge and means they will be placed with carers rather than living in supported lodgings).

The volume of Other Local Authorities (OLA) CIC requiring a secondary school in Thanet has begun to reduce as schools have consistently resisted admissions and as KCC have targeted communication at placing authorities highlighting the difficulties faced. This situation is not replicated in the case of primary age CIC's where a high number of vulnerable children continue to be placed miles away from their home authority due to the number of children's homes and independent fostering agency therapeutic carers based in Thanet. A considerable number of the children placed in the district by other local authorities will carry with them a history of exclusions, behavioural and

emotional issues as well as requiring multi-agency involvement such as Educational Psychology, Children's Adolescent Mental Health Services etc. The level of need of these CYP in care placed in Thanet has become very concerning; it is highly alarming that education provision is not factored into the placement decisions. In many cases it is only considered after they have been moved from their local area. The worst LAs seek to place highly vulnerable CYP into mainstream schools without offering any additional support only for the school to find it is clearly evident that the CIC requires therapeutic independent provision. Often these issues will not be acknowledged by the placing LA due to the cost it incurs to the placing authority. If LAs are able to get the child on roll at a school before these needs are identified the school is liable to fund the intervention. This has a huge impact on schools financially and has resulted in schools understandably refusing admission which has led to children being out of education for significant periods all due to the unacceptable practice of some LA's. The complex needs of these vulnerable young people demand a considerable amount of additional support from schools which are already struggling to adequately meet the needs of local children in the most deprived district within Kent. It should also be noted that Thanet has the highest numbers of CYP reported missing and many of these are recorded as vulnerable CIC from OLA. The LA has significant concerns at the high risk of absconding and child sexual exploitation for these vulnerable learners, which placing LAs, particularly from London Boroughs, fail to consider and properly evaluate.

Previously other local authorities would not pursue school places for their CIC, who had been refused by Thanet schools, they would have independently funded and sourced appropriate education provision. Since September St Georges in Broadstairs have been approached by six London authorities requesting places in mainstream for CIC's already placed in Thanet. To date none have been admitted. Haringey have sent a letter of their intention to direct the school to admit, however this was not upheld as the Adjudicator reported that Haringey had not directed the school inline with legislation. To focus on one particular school is likely to cause significant detriment to the effective provision of education. There is a growing concern at the concentration of challenging pupils and this puts a disproportionate strain on local school resources.

More recently other local authorities have taken to placing children in Swale, which has similar cheap accommodation to Thanet as well as similar difficulties in the District. This has placed an unsustainable pressure on the schools in the locality. Other local authorities continue to place primary children considerable distances from their home.

The placing of OLA children in Kent with no prior education planning is significantly detrimental to the child as schools are often unable to meet their need. This is damaging to the effective provision of education to other learners in the school. A new children's home, part of the Acorn Homes Group, has opened in the Deal area and since January this year there has been an increase in OLA CiC's seeking mainstream schooling (ranging from the London boroughs but also as far afield as Somerset LA). These CIC's have the highest need, often victims of CSE, gang involvement as well as

having high exclusions history and emotional/behavioural difficulties. Having large numbers of damaged children with these sort of life experiences concentrated in one place has been raised as a significant cause for concern for the agencies involved in supporting the communities including police and social care.

A common factor with the OLA CIC's, is that the OLAs or primarily the carers are approaching the schools directly. This is understandable because In Year admissions are not coordinated in Kent but the LA should be contacted in the first instance to seek advice about the placement of vulnerable learners, so placing LAs are aware of the issues specific to certain areas, something that perhaps the care companies are not divulging.

Kent faces pressures on primary school places in Swale, Ashford, Thanet, Dartford, Sevenoaks and Gravesend. Many of these schools are already over their PAN and this is not taken into account, nor are enquiries made when OLA are placing vulnerable children in Kent. We consider that in some instances, children are being set up to fail by their placing authorities. It is quite clear that some of the placement decisions we are experiencing cannot be in the best interest of these vulnerable learners. It is surprising that such decisions continue to be taken apparently with the agreement of the DCS for these LAs, and we question whether the detail is being shared. More needs to be done to educate the placing LAs. They should be held accountable to the DFE for ensuring suitable education provision is available prior to any move.

Where it is recognised that OLA CIC require a high level of support and interventions, the more professional OLAs are requesting or identifying the need for a place at 'Alternative curriculum units' (ACP) or 'Pupils referral units' (PRU). Unfortunately these provisions have limited availability often with a number of learners awaiting places and due to the nature of the facilities and the high level of need of those placed there, they do not have the capacity to admit further pupils. Not all parts of Kent have ACP or PRU provision, some localities have instead set up management committees to provide more bespoke and inclusive provision with existing schools. The number of additional CIC's arriving from OLA creates pressure on the schools and the limited provision available.

The extent of these issues places additional pressure on schools and services and challenges the inclusive practice in place as more and more schools are experiencing a ratio of children with challenging needs being so prevalent it is extremely difficult for the schools to redress the balance, through education and behaviour management.

(b) How well are the interests of **previously looked after children** served?

Tick as appropriate: Fully ☒ In part ☐ Not satisfactory ☐

Comments: Several children secured spaces at schools as a result of this extension that would not have necessarily done so had it not been made.

It was necessary for Kent to monitor school returns to ensure that this provision was applied universally. Last year, many schools tried to revert to previous LAC wording, however, with prompting the correct wording was reinstated. This year, schools appeared to have a better understanding of the requirement and so correct wording was present in the majority of arrangements. Kent will continue to monitor this area to ensure unlawful changes are not made in subsequent years.

(c) How well are the interests of **children with disabilities** served?

Tick as appropriate: Fully ☒ In part ☐ Not satisfactory ☐

Comments: There have been no significant issues in placing children with disabilities in mainstream schools. Most cases involve the child having a Statement of SEN or EHCP which affords them priority and allows a school to admit over number if the statement requires it. For disabled children without SEN or EHCP the admissions oversubscription criteria for the vast majority of schools in Kent afford some priority to children or parents with health and special access reasons where there is a special connection / need for the child to attend that particular school. Some schools which are their own admission authority have not retained this criterion but the LA is not aware of any specific issues that have arisen with disabled children being unable to secure suitable school places.

One unusual scenario did arise this year for one Community school in regards to two children with Cystic Fibrosis. Kent understands from latest medical advice that children with Cystic Fibrosis should avoid, wherever possible, exposure to another child with the same condition. It has been shown to significantly increase the risk of transferring infections which can quickly lead to medical complications for the children concerned. The school in question had a child on roll with the condition and received an application from a second child, who also had Cystic Fibrosis. The applying parent was warned of the dangers to their child and the existing child on roll, but decided to continue with their application in spite of the additional medical risk and welfare concerns this created. The parents of the child on roll were ultimately faced with the dilemma of having to relocate their child, in the interests of his safety because of the other families disregard of the two children's welfare. The Code does not appear to currently allow any provision for refusal of an application on the basis of ensuring the safety of those already on roll. While this would need to be carefully balanced to ensure it could not be misused, it does make clear that there may be some occasions where schools may have legitimate grounds for wanting to refuse an application during the normal admissions round. This may require further consideration on whether to include some provision in future admissions codes for such a scenario.

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- (d) How well served are **children who have special educational needs and who have a statement of special needs** that names a school (or an education health and care plan)?

Tick as appropriate: Fully ☒ In part ☐ Not satisfactorily ☐

Comments: Where children have a Statement of Special Educational Need which names a school, that school is required to admit them. There is not therefore an issue with securing school places for statemented children as part of the normal admissions round. In-year admissions also empowers the statementing authority to name the school (a process undertaken in discussion with parents about the most appropriate setting for the child).

A small number of parents of children with statements have reported that on visiting some schools (to inform their preferences for secondary transfer) they have been advised that necessary changes to curriculum differentiation and classroom management would make it difficult for their son/daughter's needs to be met in the school. There is a concern therefore that some parents are being actively dissuaded from 'choosing' some schools, which are able to support those learners by making reasonable adjustments as necessary. This practice is being challenged by the LA when it comes to light but it remains a significant concern as it is hard to evidence, and we rely on anecdotes.

Kent is in the midst of delivering a new SEND Strategy which will result in far more inclusive practices as each area has a lead special school which offers outreach support. New units are also being developed in mainstream schools and are included in all new schools with seven opening this September. This approach will significantly improve access to schools locally.

- (e) How well served are those **children who have special needs, but do not have a statement?**

Tick as appropriate: Fully ☐ In part ☒ Not satisfactorily ☐

Comments: As more schools have become Academies, it is increasingly difficult to secure school places for primary non statemented children with additional educational needs. Some Schools and Academies are reluctant to admit these pupils, especially if they have been excluded from their previous school, due to the level of support and supervision required due to disruptive behaviour. These pupils are mainly placed through the local IYFA panels. Increasingly schools require a letter from the Head of Fair Access setting out their duty to comply with the IYFA protocol and panel decision, before a school will admit the pupil. Thanet and Swale have a higher number of primary children with SEN, who are without a statement, which puts additional strain on schools in those localities and their resources. There is excellent collaborative practice in schools however with school to school support and sharing best practice meeting the needs of these learners whilst maintaining good standards of education throughout the schools concerned.

### 3. Co-ordination of admissions

#### A) During the normal admissions round

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2015 in your local authority highlighting any particular strengths in the process and any problems.

##### **Primary**

- (a) How well has the second year of operating the national offer day for primary places worked compared with when there was no specified national offer day?

Tick as appropriate: Better ☐ The same ☐ Less well ☒

- (i) Any strengths of the new procedure?

Comments: In spite of its size, Kent always made Primary offers on the last working day in March and so a later National offer day has not had a significant impact on our process. While Kent would have preferred an earlier date to have been selected, we were pleased that a National deadline was included as we have historically experienced issues with late data being sent by one of our neighbouring LAs. It had a much later primary offer day than Kent, so a small number of Kent parents that named schools in that authority as higher preferences, were offered a lower preference Kent school or were allocated a school for Kent's offer day and then offered another school when their data arrived some weeks later. It was our hope that a National Offer Day would therefore mean data was provided in a timelier manner. While there was some improvement on the first year, data was still sent close to National Offer Day. This meant that the process for updating our online application system and production of letters was unnecessarily complicated. It is our hope that this will continue to improve in future years.

There were no major issues in relation to the process of admitting pupils to LA schools, however, the cohort was nearly 350 pupils larger this year, which did make allocation harder.

Thanks to continued focus on place planning, supported by an ever improving suite of reports highlighting areas where issues are likely to arise, Kent managed to offer nearly 430 more first preference places. Over 95 % of parents received a preferred school and over 85% were offered their first preference. Many schools took advantage of the relaxed rules regarding offers being made above a PAN, which the LA highlighted to them throughout the process. In addition to this, Area Education Officers worked hard to ensure historically difficult areas had the necessary capacity.



The Co-ordinated process ran in broadly the same way as last year, with a single reallocation process 2 months after offer day to deal with late applications and reappportion places that were refused subsequent to the main offer day.

(ii) Any problems encountered this year?

Comments: While Kent is in favour of a Primary National Offer day, in its current form it has introduced a number of difficulties for the LA and has not resolved historic issues in the way we had hoped. While Kent ran a successful process and have no issues with the work we carried out, it is felt that on balance, the current date of National Offer day, has had a negative impact overall.

The biggest issue is the conflict between a mid-April offer day and the flexible nature of the Easter period and related school holiday. This will result in most if not all Primary offer days falling during a school holiday. This has two main effects.

Firstly, it limits the LAs ability to check expected offers with schools, which caused the biggest issue this year. Kent has found a useful mechanism for highlighting any errors in the admissions process is to send schools advance notice of their offers. This often uncovers misranked children when schools see children they did not expect or don't see children they did expect. Offer data is now only available a day or two before schools break up, giving them less time to make these checks and inform the LA with sufficient time for the LA to unpick the knock on effects and inform all affected schools if it transpires a school has made a ranking error.

The second issue, depending on the placement of Easter, is that schools may no longer be on hand to help parents when offers are sent out. This means that a large amount of work which was spread evenly through over 450 schools is now redirected to the LA via our contact centre. This caused huge call wait times last year, all at the expense of the LA's reputation, and indeed the financial impact on the resources needed to manage these call volumes. LAs were fortunate with the way Easter fell this year, but this situation will continue whilst offer day falls during school holidays, we therefore believe a later date should be considered for future codes.

A number of new academies opened in Kent for September 2015 intake, however, the timing of agreements with the DfE lead to some schools being confirmed after the application process had opened and in one case, after the closing date had been reached. In spite of LA support, a number of these schools failed to ensure admissions arrangements were made available to applying parents. Kent is concerned that while these responsibilities lie primarily with the Academy project teams, and indeed with the DfE, LA admissions have seldom been invited to any steering or task and finish groups. As such these important tasks are left incomplete and it is the LA people turn to for answers when they are left confused by the process.

## Secondary

(b) How well has the operation of national offer day worked for secondary admissions this year?

Tick as appropriate: Better than last year ☐ The same ☐  
Less well than last year ☒

(i) Any strengths?

Comments: Kent has a strong, well established Secondary application process. This level of preparedness served the department well in light of the issues detailed below.

(ii) Any problems?

Comments: Last year's Secondary admissions round highlighted the unfortunate effect of creating a competition model for schools. Where decisions are made by single schools or academy chains without regard for their wider implications to school place planning and school sustainability it can impact negatively on the education landscape. Unplanned increases by Academies, coupled with recent changes to formula funding for schools has resulted in several secondary schools facing the threat of becoming financially unviable even taking account of the fact that in a few years time the spare capacity that they have will be needed. The first casualty of this environment was the Chaucer School in Canterbury last year. Schools in the locality admitting over PAN ultimately led to the forced closure of the school. Under previous funding regimes the LA could have put a package of support in place to support the school until numbers improved, but this is no longer possible under current funding arrangements and remains a major concern that we continue to raise with DFE/EFA and RSC on behalf of Kent schools and academies.

Two further Kent Secondary schools were closed this year, one 3 weeks before offer day and one, a week after offer day. The timing of decisions driven by the then Secretary of State, was extremely unhelpful to parents.

By way of context, the Oasis Community Learning Academy Trust (OCL) started negotiating with the Department for Education in September 2014 to remove Oasis Academy Hextable from their Trust, which would result in the school closing. In spite of significant work from Kent to inform OCL and the DfE of the negative impact this would have on KCC's ability to provide sufficient educational provision in the area, the decision was made to close the school. Unfortunately this decision was not made until late February. (National Offer Day was 1<sup>st</sup> March)

KCC were unable to inform parents, as OCL had not made public the possibility of closure, and there were concerns about artificially creating a "run" on the school, stopping people from applying for fear that the school will close. Parents were eventually told on the last day of term via letter from the school and forced to wait a full week before a parents meeting could be held. This directed all parental anger at KCC, who strongly opposed the closure.

Detailed analysis had shown that removal of the school would create a shortfall of places for 2015 intake, with significant increases in cohort size expected over the next two years compounding the problem further. Reallocating children currently on roll to neighbouring schools also removed every remaining school place in later year groups across the wider area, removing spare capacity in its entirety. (Anyone moving to Dartford in need of a secondary school place is not currently able to be accommodated in a local school provision, instead they will need to be bussed to Ebbsfleet Academy several miles away as the only school with vacancies.)

When the closure was finalised, as predicted, Kent was unable to offer all children in the area a school place on offer day and were forced to work with neighbouring LAs to secure alternative provision across the border. This has led to a significant increase in formal complaints from parents, who had not expected to be offered a London based school when they had chosen to live in Kent. In addition to the discontent amongst parents, the LA is faced with increased numbers of transport applications for the area, and additional school transport costs.

One week after National Offer Day, in another part of Kent, Marlowe Academy, following another decrease in offer numbers, combined with a large cohort leaving the school's sixth form, informed the LA that the financial pressures this would create meant the school would have to close.

While Marlowe's site and current roll may be inherited by a neighbouring LA school (subject to the outcome of decision by the LA Foundation school which is dependent upon the EFA agreeing an acceptable level of financial support), parents do not see a distinction between academies and any other school, and so blame the LA for any impact these decisions have caused.

There remain a number of other schools and academies in Kent with fragile financial circumstances and if LAs do not have some flexibility in the formula restored to them to prevent schools being faced with potential closure, this could become a regular feature of the admissions process, limiting parental preference and removing the LAs ability to ensure every Kent learner can be offered a Kent based school.

- (c) If you have any UTCs or studio schools in your area, do you co-ordinate admissions for entry at the relevant year group of entry to these schools?

Tick as appropriate: Yes ☒ No ☐ N/A ☐

If **YES**, please explain how well the admissions process is working for these schools:

Kent has one UTC and two neighbouring LAs have a single UTC each. Kent set up a small scale process to deal with applications from Kent residents to any of these establishments. Applications were limited to paper CAFs only, and were processed to the same timescales as Secondary Transfer. There were no issues with this approach and through strong communication with Kent's UTC and neighbouring LAs, the addition did not significantly impact the admissions team. It is our understanding that the Kent UTC has struggled to attract learners. In the first year of opening it relied heavily on pupils transferring from schools within the operating Trust, however we expect the appetite for these schools to continue to release learners into the UTC to decline as schools seek to maintain numbers in order to be financially solvent.

If **NO**, do you have any evidence about how well the admission process is working for individual UTCs or studio schools?

Tick as appropriate: Yes ☐ No ☒

If **YES**, please comment:

## B) In-year admissions

From September 2013 in-year admissions have not had to be co-ordinated by the local authority.

- (a) How many **pupils** have needed a school place because they do not have one or parents have applied for a place as an in-year admission for any other reason between 1 September 2014 and 15 June 2015?

For pupils up to age 11	For pupils over age 11	For Sixth Forms
To add after 15 <sup>th</sup> June	To add after 15th June	N/A

- (b) Does the local authority co-ordinate in-year admissions for any schools in its area?

Tick as appropriate: Yes ☐ No ☒

If **YES**, for how many of which schools does it currently co-ordinate in-year admissions?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
Community	-	-	-
Voluntary Controlled	-	-	-
Voluntary Aided	-	-	-
Foundation	-	-	-
Academy	-	-	-
Free School	-	-	-
UTC	N/A	-	-
Studio School	N/A	-	-

(c) If you have any information about how many schools parents approach before obtaining a place, please comment?

Comments: On average 2 or 3 schools per child. This is based on information received via copies of IYCA forms which are returned to the LA on completion. Not every school complies fully with this process and therefore this is only our impression based on the phone calls and parental contact to Admissions. Kent was particularly vocal about there being no need for LAs to coordinate, but this was on the premise that Government would make it a legal requirement for schools to inform the L's of all offers made and when places became available at the time of offer. The School Admissions Code makes informing the LA a requirement but falls short of placing a timescale on this, meaning the code is useless in this regard. It is important that schools inform LAs within 5 days so that it can maintain up to date information for parents, and ensure schools are acting lawfully.

(d) How confident are you that the requirements of the Code at paragraph 2.22 for schools to keep the local authority informed in a timely manner about applications and the outcomes are being met?

Tick as appropriate: Very confident ☐ Confident ☐ Not confident ☒

(e) Across your local authority area how well have in-year admissions worked this year?

Tick as appropriate: Better than last year ☐ The same as last year ☒  
Less well than last year ☐

(f) Please comment on the effectiveness overall of in-year admission arrangements across all types of schools in your local authority.

Comments: The process is much harder to manage in respect of tracking children and applications than under full co-ordination. The LA has less and less autonomy with Academies who are becoming more resistant in complying with the In Year Process. Kent have developed the process over the past year to improve how applications received can be followed up where children

do not have a school place. Ultimately the LA can only direct parents to a school with places and are not in a position to offer that place, therefore we are concerned there is a greater risk of children slipping under the radar because some schools fail to keep the LA informed of their actions. This raises our safeguarding concerns. Kent are increasingly concerned that some schools and Academies are adopting practices which enable them to "cherry pick" children rather than apply their over-subscription criteria. Some Academies will also insist on interviewing children before confirming an offer. This applies to both primary and secondary.

#### 4. **Fair Access Protocol**

The Code at paragraph 3.9 requires each local authority to have a Fair Access Protocol agreed with the majority of schools in its area. Paragraph 3.11 of the Code requires that all admission authorities must participate in the Fair Access Protocol.

- (a) Please confirm that your local authority has a Fair Access Protocol that has been agreed with the majority of schools in your area.

Tick as appropriate:      Yes ☒      No ☐

If **NO**, please explain:

- (b) Although a majority of schools, and perhaps all, will have agreed the Fair Access Protocol, some may not have done so. Please state how many schools have not agreed the Fair Access Protocol.

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
<b>Community</b>	0	0	-
<b>Voluntary Controlled</b>	0	0	-
<b>Voluntary Aided</b>	0	0	-
<b>Foundation</b>	0	0	-
<b>Academy</b>	0	1	0
<b>Free School</b>	0	0	-
<b>UTC</b>	N/A	0	-
<b>Studio School</b>	N/A	0	-

- (c) Where schools did not agree the Fair Access Protocol; please say why

they did not agree.

Comments: The majority of Kent secondary schools play an active part in the IYFA process, in some areas, in efforts to reduce exclusions the IYFA protocol has been blurred with an inclusion forum process. Valley Park School an all ability Academy and more recently St Augustine Academy (both in Maidstone) have both failed to send representatives to the IYFA group in their area despite the efforts of Fair Access Officers to engage with Headteachers. These Academies are refusing to attend meetings, or to send representatives to the IYFA panels, which are made up of other school representatives in the locality. If the Chair of the relevant panel identifies these schools as the appropriate school for the child in question, the Head Teachers will admit, but only after receiving a formal letter from the Head of Fair Access advising of the LAs intention to seek a direction from the Secretary of State. This further delays the admission of the young person, which unnecessarily extends the length of time the young person remains out of education. This has had a negative effect on what was a strong collaborative group of schools, since the aforementioned academies have refused to attend meetings.

In another part of Kent, Ebbsfleet Academy refused to admit four CYP allocated to them via IYFA, despite having spaces available. This was eventually resolved, however the delay prevented these CYP accessing education in a timely way. In addition to this the LA had to request the Secretary of State to direct Ebbsfleet academy to admit a yr 11 pupil. Relationships with the panel have since been restored and Ebbsfleet Academy have re-engaged with the IYFA process and taken a number of IYFA allocations in line with other schools in the district. The school is now engaged and supportive which is welcomed and appreciated.

The rest of Kent's academy secondary schools have engaged in the agreed processes for IYFA and work collaboratively in their localities to ensure that all children presented are offered education provision. The majority of Secondary IYFA meetings form part of a wider inclusion forum, where managed moves are agreed and this approach has proved a useful tool to reduce permanent exclusions and help provide learners with a fresh start in a new environment. This approach is proving very beneficial to Kent's learners who are able to quickly re-engage in a fresh start education after as a result. It is unfortunate that where a school in the local forum fails to attend these meetings, it undermines relationships with other schools which can compromise the collective involvement of schools dealing with these very challenging children. It is very disappointing where this happens, but we continue to challenge the very small number of schools taking this stance

- (d) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2014/15 in placing children without a school place in schools in a timely manner.

Tick as appropriate: Very well ☐ Mostly well ☒ Some difficulties ☐

- (ii) What is your general assessment of the working of the protocol

compared with last year?

Tick as appropriate: More effective ☐ As effective ☒ Less effective ☐

(iii) How frequently has the protocol been used to place a child compared with last year?

Tick as appropriate: More frequently ☐ Same frequency ☒ Less frequently ☐

(e) Have you any examples of particularly effective collaboration and working individual schools? For example, placing children in year 6 of a primary school or years 10 and 11 of a secondary school.

Tick as appropriate: Yes ☒ No ☐

Comments:

Secondary

Dartford , Gravesham and the West Kent Learning Federation continue to support the IYFA process and all CYP presented including year 11 pupils are allocated education provision promptly.

Maidstone & Malling panel is severely effected by the non attendance of Valley Park & St Augustines, however the other schools carefully consider all cases. Whilst the two schools are not engaging in managed moves, where they are identified as the relevant school through the IYFA process to date they have admitted pupils in line with the process.

Swale, Canterbury & Thanet Secondary IYFA continues to work collaboratively and every Child & young person presented is allocated education provision including year 11.

Ashford Dover, Shepway and Thanet IYFA panels have this academic year offered school places for Year 11's consistently. With Year 11's finishing school in June, after term 3, working with Fair Access liaising with the Skills & Employability service securing alternative routes for the more disengaged young people at provisions such as Catch 22 and East Kent College's 'Opt-In programme'

Primary

Primary IYFA in Maidstone and Malling has experienced problems, the most challenging children presented to the panel, all live in the same locality, therefore it has been the same 5 schools that are asked to admit the children presented as they are the schools that the children are able to access easily. To address this issue the LA agreed to invite other schools who may be further from the family home, enabling more local schools to be involved in the process. This does however create logistical issues for these learners. To



enable a child to access a school further afield incurs a cost to the LA for transport. In some cases the final decision to name a school has fallen to the LA as Primary school representatives have found it difficult to name a school when every school in the locality is serving high need deprived communities and facing tremendous difficulties. Some schools are on an improvement journey following poor Ofsted results and present a strong case for not admitting additional pupils whilst trying to address existing issues within the school.

Shepway Primary IYFA panel is well established. The meetings are chaired by the headteacher of the local special school. The Specialist teaching service and Educational Psychologist are present to provide professional support and advice.

There are however concerns raised by the Romney Marsh Primary schools, who are experiencing difficulties recruiting permanent staff. The Head teachers are concerned that the high number of agency teachers with a lack of specialist skills means there can be a lack of consistency for IYFA pupils who require additional support with behaviours and health.

In Dover and Thanet, Primary IYFA meetings are called only when there is a need, the frequency depending on the number of local exclusions. Thanet is Chaired by an Independent Chair and Dover is chaired by the acting HT of the local Special School. The focus of both meetings is to identify education provision and to design a robust integration package of support from agencies such as Education Programme (Tutoring), Specialist Teaching and Learning Service, Educational Psychologist, Early Help and Project Salus (a commissioned service), to ensure the CYP's transition to their new school is give the best chance of success.

Isle of Sheppey Primary IYFA panel works collaboratively and all CYP presented have been offered school places.

Swale – Sittingbourne Panel is not an established group. In the event of an IYFA case, meetings are called as and when required, inviting the five nearest schools.

Canterbury Primary panel has a newly established independent Chair and Clerk, they have been proactive and dates have been set for the academic year

North West Kent hold panel meetings as the need arises inviting the five nearest schools to attend. This is the default position set out in the In Year Fair Access protocol for Primary Admissions, across the county.

- (f) Have you had any specific problems in allocating a place through the protocol? For example, where a school has been reluctant to accept a child.

Tick as appropriate:

Yes ☒

No ☐

Comments: Secondary

St Augustine's Academy - directed by the secretary of state to admit a CYP allocated to them by the IYFA panel.

Ebbsfleet Academy refused to admit four CYP allocated to them via IYFA, despite having spaces available. This was eventually resolved by the LA, however the delay disadvantaged the CYP involved. The Secretary of State also directed the academy to admit one yr 11 pupil.

Primary

Richmond Primary Academy refused to admit a child allocated at IYFA. The family had moved to the Isle of Sheppey and could not secure a school place. The case was referred to the Secretary of State for direction and the CYP eventually admitted.

- (g) How many children have been admitted to each type of school in the area under the protocol? How many children have been refused admission to a school?

Type of School	Number of children admitted			Number of children refused admission		
	Schools for pupils up to age 11	Schools for pupils over age 11	All-through schools	Schools for pupils up to age 11	Schools for pupils over age 11	All-through schools
<b>Community</b>	75	5	0	0	1	0
<b>Voluntary Controlled</b>	10	0	0	0	0	0
<b>Voluntary Aided</b>	17	2	0	0	0	0
<b>Foundation</b>	6	13	0	0	0	0
<b>Academy</b>	46	75	0	1	2	0
<b>Free School</b>	0	0	0	0	0	0
<b>UTC</b>	N/A	0	0	N/A	0	0
<b>Studio School</b>	N/A	-	-	N/A	-	-

- (h) If children have not been placed successfully in a school through the protocol, have you used the direction process to provide a place for a child?

Tick as appropriate: Yes ☒ No ☐ N/A ☐

- (i) If **YES**, how many children have been placed and in which type of school as a result of a direction, including a direction via the EFA on behalf of the Secretary of State or after a referral to the Adjudicator?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
<b>Community</b>	0	0	0
<b>Voluntary Controlled</b>	0	0	0
<b>Voluntary Aided</b>	0	0	0
<b>Foundation</b>	0	0	0
<b>Academy</b>	1	2	0
<b>Free School</b>	0	0	0
<b>UTC</b>	N/A	0	0
<b>Studio School</b>	N/A	0	0

(j) Please add any other relevant information you wish to include in this section concerning Fair Access Protocols.

Comments: There are additional localised causes for concern, where schools and academies are not liaising with the LA:

Secondary

St Augustine's Academy informing parents they are full or are refusing admission advising the LA that teaching groups are full, however the school has places as year groups are not up to their original admissions numbers for that year group.

Copperfield Primary Academy Gravesend declined to provide roll numbers and refused to offer available places, requiring IYFA meetings to be held and local schools invited to ensure CYP were allocated school places. This school failed to respond to any LA communications which obviously delays any action the LA is able to take. The Head Teacher was not available to take calls which proved very frustrating for placing officers and has unnecessarily delayed access to mainstream education for the child concerned.

Salmestone and Northdown primary Academies in Thanet have declined to engage with Admissions and refuse to provide roll numbers. Both schools are part of the The Kemnal Academies Trust (TKAT).

Northdown continue to keep a waiting list despite having spaces in Year 2. Admissions and the Area Education Officer (AEO) advised against this course of action and reminded the HT that where they have spaces offers must be made. Efforts have been made by senior LA officers to engage with the schools, however these practices continue to prevent local children accessing school places.

Salmestone have had a high rate of permanent exclusions and permanently excluded four KS2 children since September. This pattern of behaviour is currently being addressed via the LA KS2 Project Steering group.

Isle of Sheppey

Primary

Richmond Primary Academy refused to admit a child allocated at IYFA. The

family had moved to the island and could not secure a school place. The case was referred to the Secretary of State for direction and the CYP admitted.

Canterbury

Primary

Joy Lane Primary School, not providing roll numbers on request.

## 5. Admission Appeals

The Code requires data to be collected about appeals. In order to meet this requirement the DfE will use the latest published Statistical First Release: admission appeals for maintained and academy primary and secondary schools in England.

Taking into account the comments reported in 2014 by some local authorities in response to the invitation to *“add any comments about the appeals process in your area”*, it would be helpful to be able to gather views across all local authorities on the extent to which schools that are their own admission authority continue to use local authority services for appeals.

- (a) Do any own admission authority schools use any of your services as part of the appeals process?

Tick as appropriate: Yes ☒ No ☐

- (b) If yes, please indicate the number of schools that use at least some services

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
<b>Voluntary Aided</b>	3	0	-
<b>Foundation</b>	2	7	-
<b>Academy</b>	15	17	0
<b>Free School</b>	1	2	-
<b>UTC</b>	N/A	0	-
<b>Studio School</b>	N/A	-	-

- (c) Please indicate the services that are used :

Type of School	Schools for pupils up to age 11(Y/N)	Schools for pupils over age 11 (Y/N)	All- through schools (Y/N)
<b>Full appeals process</b>	Y	N	N

<b>Legal advice</b>	Y	Y	N
<b>Assistance in the preparation and presentation of case documentation</b>	Y	N	N

(d) Please add any other service related to appeals obtained from the local authority

Comment: The LA remains the primary source of information for schools and parents for all areas of the admissions process including appeals. In areas where the LA is not commissioned by schools to aid in preparation and presentation of appeals, advice is still available to ensure parents receive a consistent message from any school they speak to.

(e) Please add comments about any other aspect of the appeals process in your area that works well or causes difficulties.

Comment: The Local Authority provides information to parents about the difficulty for Independent Appeal Panels to uphold primary and infant appeals where schools organise their classes with 30 children and class size is a factor. We have designed our information to help manage parental expectations given the infant class size legislation. Despite these efforts, parents continue to state that had they been aware of how unlikely it was that the appeal will be upheld, they would not have gone ahead with it. Several comments have been made as to why the Local Authority even advise parents of their right to appeal against this decision if no errors have been made or any of the other conditions have not been met, as the outcome of the appeal is almost a foregone conclusion if it would result in a breach of infant class size legislation.

The LA has some sympathy with this view but recognises it must advise parents of their right of appeal. It has provided guidance which tries to manage parental expectation, but this must be weighed against not discouraging them to take advantage of their right of appeal, regardless of how unlikely it is to be successful. It may be helpful for further national guidance to be produced provided that it emphasises clearly the limitations of the panel and their ability to place classes with numbers above 30, and must not offer false hope.

## 6. Other Issues

## A. Objections to admission arrangements

Paragraph 3.2 says “local authorities **must** refer an objection to the Schools Adjudicator if they are of the view or suspect that the admission arrangements that have been determined by other admission authorities are unlawful”.

- (a) How many sets of admission arrangements of schools were queried directly by the local authority with schools that are their own admission authority because they were considered not to comply with the Code?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
<b>Voluntary Aided</b>	3	1	-
<b>Foundation</b>	0	7	-
<b>Academy</b>	1	14	2
<b>Free School</b>	0	0	-
<b>UTC</b>	N/A	1	-
<b>Studio School</b>	N/A	-	-

- (b) How confident are you that all community, voluntary controlled and own admission authority admission arrangements are now fully compliant with the Code?

Tick as appropriate: Very confident ☐ Confident ☒ Not confident ☐

- (c) How many schools did not send the local authority a copy of their full admission arrangements, including the supplementary information form (or the form by any other name, for example religious inquiry form) if one is used, by 1 May, as specified in paragraph 1.47 of the Code?

Type of School	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Number of all-through schools
<b>Voluntary Aided</b>	Kent does not have specific numbers, but it is estimated in excess of 70% of own admissions authority schools did not return this information in required timescales		
<b>Foundation</b>			

<b>Academy</b>			
<b>Free School</b>			
<b>UTC</b>	N/A		
<b>Studio School</b>	N/A		

**B. Fraudulent applications**

(a) Is there any concern in your local authority about fraudulent applications?

Tick as appropriate: Yes ☒ No ☐

(b) Did the local authority make any offers on national offer days that were subsequently withdrawn as a result of a fraudulent application?

Tick as appropriate: Yes ☒ No ☐

(c) If **YES**, how many for each type of school?

<b>Type of School</b>	<b>Number of Schools for pupils up to age 11</b>	<b>Number of Schools for pupils over age 11</b>	<b>Number of all-through schools</b>
<b>Community</b>	6	?	-
<b>Voluntary Controlled</b>	4	?	-
<b>Voluntary Aided</b>	1	?	-
<b>Foundation</b>	0	?	-
<b>Academy</b>	0	?	0
<b>Free School</b>	0	?	-
<b>UTC</b>	N/A	?	-
<b>Studio School</b>	N/A	?	-

(d) What action is the LA taking to prevent fraudulent applications?

Comment: : Due to the high number of schools in Kent and resultant high number of applications, KCC does not have the capacity to check for fraudulent applications centrally. It is also not possible for the LA to easily gain access to council tax dataset, or other such sources of data used for address verification, due to the borough based structure within Kent. The 12 Kent boroughs do not presently share their address datasets with the Admissions team.

With these limitations in place, Kent has delegated responsibility to the school to check validity of applications, following the offer of a place on National Offer Day. Where fraudulent applications are identified, offers are removed under paragraph 2.12 of the Admissions Code. Validity of applications is not checked at an earlier stage as this would increase the overall work required by schools and multiple schools would check the same child, where more than one preference has been expressed.

To ensure schools are fulfilling this responsibility, the LA holds yearly

Admissions briefings, in which, a large section of the discussion is based around spotting and collecting the necessary information to prove an application's authenticity. The LA will also aid schools that are suspicious of an application, but are struggling to find the necessary evidence to prove one way or the other.

Kent mirrors the concerns expressed by some LAs over the practice of parents temporarily renting houses near popular schools to gain access and then returning to their real address sometime after the child starts school. One deterrent which is currently utilised is the removal of sibling priority if a family has moved more than two miles from a school since the older child's offer was made. However, this is limited as parents with the necessary means can still manipulate the situation to their advantage, provided they are resident at the time of application and it is for all intent and purposes the main family home at that time.

Kent has expressed concerns in the past of initiatives designed to stop the use of short term lets negatively affecting honest applicants who through no fault of their own may have been forced to move house as a result of a change in circumstances. While this concern is still felt, this year's scheme increases the level of evidence required from applicants who do not have a long term residence or who move within the first school term. Parents will be expected to provide sufficient evidence to show that they have not manipulated their circumstances to secure a school place they would have otherwise have not been eligible for. Kent hopes that this will increase its powers to respond to fraudulent applications, while balancing the needs of applicants with legitimate reasons for moving.

Kent will continue to monitor this area in an effort to find a fairer alternative, but would welcome DfE advice or guidance which may refer to ensuring these families do not have other properties from which they have moved out into rented accommodation.

### **C. Summer born children**

The DfE issued revised guidance in December 2014 "Advice on the admission on summer-born children" for local authorities, school admission authorities and parents ([Link to Guidance](#)). The School Admissions Code at paragraph 2.16 deals with deferred entry and/or part-time attendance for children in the year they reach compulsory school age. Paragraph 2.17, 2.17A and 2.17B refer to the admission of children outside their normal age group.

- (a) Do you keep data for any schools on the number of requests from parents who ask that their child is admitted to a class outside their normal age group?

Tick as appropriate:      Yes ☐      No ☒

- (i) For community and voluntary controlled schools:      Yes ☐ No ☒

- (ii) For own admission authority schools:      Yes ☐ No ☒



If **YES**, please complete the table:

<b>Type of School</b>	<b>How many requests for admission to year R for a child who has reached the normal age for Year 1</b>	<b>How many requests were subsequently agreed?</b>
<b>Community &amp; Voluntary Controlled</b>	-	6
<b>Own Admission Authority</b>	-	6

(b) What reasons, if known, were given for seeking to delay the admission to reception of the child for a full school year?

Comments:

Kent does not currently record individual instances of the requests of parents of summer-born children and schools, however, in many cases, the schools have contacted Kent to discuss the specifics of the case to get a better understanding of what is required of them. This has highlighted some regular themes around reasons for the requested delay. As expected, parents that became aware of this provision following the DfE's initial guidance have applied this year following agreement from admissions authorities last year and successfully secured places for their children outside of their normal age group, as shown above.

In most cases the parent does not feel that their child would cope in the school environment at their current level of development, but they do not want the child to miss out on the important foundation that reception classes provide. Parents are advised that they should provide evidence specific to their child's needs, otherwise admissions authorities would find it difficult to agree deferment of application.

(c) Any other comments the local authority has on the matter of admission of summer born children.

Comments:

It is unfortunate that there still remains ambiguity about how the process should operate. Until such time as the DfE provides more useful guidance, with a clear framework of what parents and the LA can expect, Kent will continue its current practice of deferring to the specific school's knowledge and experience when deciding whether a child should be allowed to be taught outside their expected year group. In its view such a decision should only be taken following an assessment of the child to ensure the admission out of year group would be in the best interests of the child, of course it cannot require this however.

As the system matures, it is becoming clear that where parents do not secure

agreement from each admission authority, the current process for appeal/complaint is insufficient. This results in the Local Authority being drawn into disagreements between parents and own admission authority school that we have no power to resolve. Parents look to the LA for definitive action, that we are unable to provide.

In spite of repeated questioning from schools and LAs, the impact on school's funding remains another unaddressed area of concern. Small rural schools cannot afford the drop in funding that accompanies parents choosing to defer entry until the final school term, and while this is not specifically a summer born issue, often results when parents are refused their request to apply in the following intake. This is an area that has a real chance of compromising schools and requires an urgent review of the financial mechanism to support schools that are affected. More local flexibility in the formula should be restored to School Funding Forums.

Kent also continues to have concerns about the impact this will have on children as their education progresses. While the guidance suggests secondary schools must be mindful of the decisions previous schools have made, this year a Secondary school refused to continue to teach a child out of year group, forcing the parent to either accept a place for their child in year 8, or find another school place. While Kent attempts to advise parents of possible future issues, it would appear parents are not seriously considering the advice when reaching a decision.

It is heartening to see that the Head Teacher's opinion must now be given significant weight in the decision making process for admissions authorities. They are clearly best placed to assess each application on its own merit, taking account of their experience of teaching and children's development as well as issues within the school and the scope to differentiate the curriculum accordingly. The Heads will also be aware of future changes planned for the school which may impact any decision, all of which are key and not necessarily understood by parents.

#### **D. Pupil, service and early years premium**

The 2014 School Admissions Code enables all schools to give priority for admission in 2016 to children eligible for the pupil, service or early years premium (paragraphs 1.39A and 1.39B). If admission authorities wish to introduce such a priority they need to have consulted as required by the Code.

##### **(a) Pupil and service premium**

In respect of community and voluntary controlled schools:

<b>Type of School</b>	<b>Has the LA considered giving priority to pupil/service premium?</b>	<b>If YES, have you consulted on this? (Y/N)</b>	<b>In response to consultation has the priority be implemented? (Y/N)</b>
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	(Y/N)		
<b>Community Primary</b>	Y	N	N
<b>Voluntary Controlled Primary</b>	Y	N	N
<b>Community Secondary</b>	Y	N	N
<b>Voluntary Controlled Secondary</b>	Y	N	N

Comments: Kent will hold informal discussions with schools over the coming months to determine whether there is sufficient interest in implementing this new provision for consultation for community and VC schools in the Autumn.

In respect of own admission authority schools:

<b>Type of School</b>	<b>Has the LA been consulted by any own admission authority of the type shown below on giving priority to pupil/service premium? (Y/N)</b>	<b>If YES in response to consultation, for how many schools has the priority been implemented? (number)</b>
<b>Voluntary Aided Primary</b>	N	-
<b>Foundation Primary</b>	N	-
<b>Academy Primary</b>	N	-
<b>Free School Primary</b>	N	-
<b>Voluntary Aided Secondary</b>	N	-
<b>Foundation Secondary</b>	N	-
<b>Academy Secondary</b>	Y	1
<b>Free School Secondary</b>	N	-
<b>UTC</b>	N	-
<b>Studio School</b>	N	-

Comments: Queen Elizabeth's Grammar School have provided priority for pupil premium children in their oversubscription criteria under Looked After Children and Siblings. The admissions team have provided QE with the information required to rank children under this criteria. 5 children were offered a place at the school under this provision. (They all would have received an offer based on distance anyway)

Kent is aware that one additional school, a secondary academy grammar, intends to prioritise pupil premium children for 2016 intake, however, this will be limited to 5 school places.

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

<b>Type of School</b>	<b>Has the LA considered giving priority to early years pupil premium? (Y/N)</b>	<b>If YES, have you consulted on this? (Y/N)</b>	<b>In response to consultation has the priority be implemented? (Y/N)</b>
<b>Community Primary</b>	N	N	N
<b>Voluntary Controlled Primary</b>	N	N	N

Comments: Kent did not support the introduction of early years nursery premium children being prioritised and currently has no intention of implementing this provision at its community schools. Kent's position is that the selection of a nursery school draws on different factors than the selection of a primary school and it is inappropriate for parents to have a reduced chance of securing a place at their local school because they would prefer for their child to remain at home until statutory school age, or where parent's personal circumstances make another nursery more convenient (due to work commitments).

Implementation of priority for pupil premium already gives primary schools an opportunity to support vulnerable learners, so Kent is still unclear why attendance at the school's nursery should be available as an additional deciding factor. As a minimum, where this is applied, Nurseries should be required to introduce oversubscription criteria in line with the school.

In respect of own admission authority schools:

<b>Type of School</b>	<b>Has the LA been consulted by any own admission authority of the type shown below on giving priority to early years pupil premium? (Y/N)</b>	<b>If YES in response to consultation, for how many schools has the priority been implemented? (number)</b>
<b>Voluntary Aided Primary</b>	N	N
<b>Foundation Primary</b>	N	N
<b>Academy Primary</b>	N	N
<b>Free School Primary</b>	N	N

Comments: No school consulted to add this priority for 2015 intake, however, Kent expects that a number of schools that have previously been advised to

avoid nursery links will use this as an opportunity to include them. Kent will monitor to ensure that where schools do consult to add this priority, it is limited to early years premium children only.

**E. Composite prospectus – admission to sixth form**

The School Information (England) Regulations 2008, regulation 5 requires the local authority to publish no later than 12 September in the offer year a composite prospectus for primary and secondary schools. Regulation 6 deals with the manner of the publication of the prospectuses and schedule 2 to the regulations details the information to be included in a prospectus.

Schedule 2, paragraph 14 says of what is to be included: *“The determined admission arrangements for the school in relation to each relevant age group at the school (including ages above and below the compulsory school age) and, where the arrangements include a supplementary information form a copy of that form.”*

- (a) How were the admission arrangements for admission to the sixth form of schools that admit students new to the school to year 12 included in a composite prospectus for admissions in September 2015?
- (i) With the admission arrangements for each school admission to the earlier relevant age group (for example Year 7) for admission?

Tick as appropriate:            Yes ☒            No ☐

or

- (ii) In a separate composite prospectus for the sixth form?

Tick as appropriate:            Yes ☒            No ☐

or

- (iii) Other, please describe how the requirements of the regulations are met.

Comments: Kent has been at the forefront of enabling access to post 16 learning and have developed an online system similar to that used for determining university places. Our UCAS based approach puts learners in touch with a whole range of learning providers and courses on offer by both schools and colleges. For further information Kent learners can access Post 16 studies via [www.kentchoices4U.co.uk](http://www.kentchoices4U.co.uk)  
<http://www.kent.gov.uk/education-and-children/college-sixth-form-and-training>

Whilst this has been really successful in matching learners to courses a concern was raised about the information gathered on the form. The UCAS form which is required to be completed for funding reasons by colleges asks for information about length of residency in the UK as this is a factor needed by the colleges. The use of this information by schools is prohibited. UCAS were asked to amend this due to the conflict in the Admissions Code and schools having this information in advance of making offers but having

checked the legislation UCAS considered that there is no law against asking for the information, only that schools are prohibited from taking account of it when making a decision on an admission.

Consequently the use of this system has been retained due to the excellent success matching leavers to courses.

(b) If the requirements of the regulations were not met for admissions in 2015, please give reasons why.

Comments: Following extensive work last year, all admission authorities in Kent have a much better understanding of the requirement for sixth form arrangements, but this area will continue to be monitored to ensure standards remain high.

#### **F. Admission Forum**

(a) Does your local authority still have an admission forum?

Tick as appropriate: Yes ☐ No ☒

(b) Has this been continuous or re-instated?

Tick as appropriate: Continuous ☐ Re-instated ☐

If **YES**, which groups, (types of schools and other bodies) are represented on the Admission Forum?

Comments:

How often does this forum meet?

Comments:

What do you see as the key benefits arising from this forum?

Comments: KCC ceased to hold admission forums but with growing issues in some areas relating to schools and in year admissions the LA does consider there to be some benefit to reconstituting this group. With growing pressures on LA funding and no real power afforded to the forum over own admission authority schools, it is unlikely this will be progressed.

#### **G. Local Authority Issues**

Please provide details of any other issues that you would like to raise and comment on that are not already covered in this report.

Comments: Kent have a disproportionate number of Children & Young People (CYP), leaving Kent schools to be Electively Home Educated (EHE). It is considered that this happens for a number of reasons, the most prevalent being

- Parental choice
- Breakdown of relationships
- Preferred School full
- Parent advised by schools to move to EHE to avoid exclusion

Kent currently has 1348 CYP registered to EHE, with an unprecedented number of 734 registering since September 2014. Data shows that as many as 17 have come from one school. Kent have data on some of the EHE families registered and can identify patterns of behaviours with some schools .

There is a dedicated and passionate Elective Home Education community offering effective home education which has been well established for many years. KCC is keen to work with and support these families but does have concerns that there are growing numbers of parents being encouraged to remove their child from school, where they exhibit challenging behaviour and have little prospect to achieve good grades which will impact a schools performances figures.

Primary data shows:

Academies	19 schools	40 CYP
Foundation	6 schools	10 CYP
Voluntary Aided	18 schools	35 CYP
Voluntary controlled	23 schools	47 CYP
Community	45 schools	99 CYP
Free	1 school	1 CYP

Secondary data shows :

Academies	30 schools	169 CYP
Foundation	9 schools	43 CYP
Voluntary Aided	1 school	3 CYP
Community	3 schools	0 CYP
Free	1 school	1 CYP

A high number of EHE CYP are identified at the first visit as not receiving any education as the parents had not planned effectively for home educating and felt that they had no option other than to register as EHE. These CYP are recorded as 'Compulsory' Elective Home Educated

Kent acknowledge that this is a growing problem and to address this processes have been improved and any CYP identified as not receiving an education is presented at the next In Year Fair Access Panel and as Kents protocol dictates, are returned to their original school roll where parents indicated they want their child to return to school.

Where a school is not required and parents are keen on a Home Education approach to their child's learning advice on Home Education is provided along

with signposting to Home Education support groups and website. KCC considers this a growing area of concern as schools seek to move challenging pupils off their school rolls into Home Education. In some instances these are pupils who have had schools identified through the IYFA protocol and therefore would recommend this be an area where the Adjudicator may wish to explore further to ensure the efforts to secure school admissions for pupils is not being undermined by off rolling soon after the start date.

**Thank you for completing this report**

**Please email your completed report to: [osa.team@osa.gsi.gov.uk](mailto:osa.team@osa.gsi.gov.uk)**