



Office of
the Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Kent Local Authority

30 JUNE 2016

Report Cleared by (Name): Keith Abbott

(Title): Director of Education Planning and Access

Date submitted: 30 June 2016

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Please email your completed report to: 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 themselves, 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. Please note that we will contact you if any data boxes have not been completed. However if there are any blank comment boxes we will presume that you have no comments to make.

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 2016.

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	170	5	0
Voluntary Controlled	91	1	0
Voluntary Aided	54	3	0
Foundation	17	19	0
Academy	117	66	2
Free School	4	3	0
UTC	N/A	1	0
Studio School	N/A	0	0

2. Admission Arrangements for Admissions in September 2016

The Code at paragraph 3.23 requires that each local authority provides “*information about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children, children with disabilities and children with special educational needs, including any details of where problems have arisen*”.

Please include details of:

1. Any ways in which 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 2016.

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

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

Every school understands its obligations and affords children in care the appropriate priority in the oversubscription criteria. Through the coordinated admissions rounds the interests of CiC are served fully. Kent is however in a more challenging situation than most LAs in that disproportionately high numbers of CiC are placed into Kent over 953 OLA CiC placed into Kent in addition to the 1431 Kent CiC it seeks to support. This is a continuing theme and despite the commitments given by Directors of Childrens Services across London, the issues are no less acute.

The numbers of primary age CiC's remains high, 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 particularly in Thanet but also Canterbury and other deprived areas of the county especially the coastal towns.

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. Indeed of the 953 OLA CiC cited above, 30% have SEN or an EHCP.

The level of need of the CYP in care, placed in Thanet is concerning; despite an update in Statutory guidance for 'Promoting the Education' of Looked after Children in July 2014, 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 practice is where 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 necessary intervention. This has a huge impact on schools financially and has resulted in some schools understandably refusing admission which has led to children being out of education for significant periods. This all stems from the unacceptable practice of some LA's and a complete failure of government to do anything to address this with appropriate sanctions or at least a requirement for placing LAs to be liable for the financial commitments required to support their vulnerable learners. 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 districts 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 clearly needed something other than a mainstream placement; they would have independently funded and sourced appropriate education provision. Clearly the budgetary constraints faced by all authorities is resulting in many now refusing to accept that a mainstream schools is not appropriate, this means the burden of cost is being placed on Kent LA and Kent schools were these admission inevitable breakdown.

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 now placed an unsustainable pressure on the schools in that 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. New children's homes continue to open in Kent. Some provide their own education and therapeutic provision, however many do not and there is a worrying concentration of children who have often been victims of CSE, gang involvement as well as having a high level exclusions 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. KCC is at a loss as to what more it can do, and it requires government action to enable host LAs to determine the level of support required and to recover costs where additional support is needed with the ability to charge this directly back to the placing Authority. This simple change would result in children accessing the support they need at the earliest opportunity, and create an incentive for placing LAs to explore what additional support they may be able to provide locally in the most cost effective way. 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.

It is widely accepted that schools can admit over their admission number for CiC however assumptions are being made by placing LAs that they can simply push schools over number by relying on these provisions within the code. They have failed to realise that high concentrations of children with challenging behaviours in schools already over their capacity, means that schools can legitimately refuse admission. By failing to check these circumstances ahead of placement, some LAs are failing their CiC and putting them into areas where education in a good school is simply not available. This is clearly not in their best interest and increasingly the admission of a CiC is having to be refused which is delaying learners accessing education. It is deeply concerning that this may result in a criticism of Kent when the problem is driven by placing LAs failing to meet their statutory obligations at the outset. 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 and where no such suitability has been assessed the host LA must be held accountable for the gaps in education which ensue as a result.

Kent has a dedicated team of Senior Access to Education Officers who continue to facilitate placing CiC from outside Kent to ensure that Kent schools and OLA officers are supported throughout the process, but this is extremely challenging work compromised by some LAs failing to establish whether suitable education will be available or accessible prior to placement.

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

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

Comments: Following some initial concerns where own admission authority schools attempted to revert to older LAC definitions when this change was first implemented, it is now a well understood feature of the admissions process. Both parents and schools are aware of this priority and a number of children secure places as a result.

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

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

Comments: In East Kent there have been significant pressures in placing children with disabilities in mainstream schools largely because of the demand and availability of specialist provision. The Kent Commissioning Plan sets out plans to increase places. In cases which involve the child having a Statement of SEN or EHCP school are able to admit over their admission number if the statement requires it. Or where this falls in with coordination, the children are

admitted and the admission number reduced accordingly. 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.

- (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 or Education Health and Care Plan which names a school, that school is required to admit them. There is not therefore an issue with securing school places for statemented or EHCP 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 and schools about the most appropriate setting for the child).

As in previous years, 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.

- (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 to manage disruptive behaviour. Schools are able to draw down 'High Needs Funding' for individuals who require intensive support, however, the schools prefer these pupils to be 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 secondary children with SEN, who are without a statement, many of these are year 7 who have managed Primary education due to smaller school environments but then struggle with the transition to secondary school. The experience of moving to a larger setting can place additional strain on children which can present in the form of challenging behaviours significantly impacting schools in those localities. There is excellent collaborative practice locally and measures are in place to mitigate this growing concern. Active school to school support and sharing best practice in how best to meet the needs of these learners whilst maintaining good standards of education is disseminated 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 2016 in your local authority, highlighting any particular strengths in the process or any problems that have arisen.

Primary

- (a) How well has the operation of national offer day worked for primary admissions this year compared with previous years?

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

Comments: 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 reapportion places that were refused subsequent to the main offer day.

In spite of a ten year high in pupil applications, Kent had its most successful Primary Round offering a record number of parents a school of their preference. While Kent is content that this year's Primary admissions process was better than those of the last few years, this is more as a result of the greater understanding of the limitations of the current system and a fortunate placement of Easter this year.

We have raised a number of concerns regarding the timing of the current Primary Offer Day since it moved to 16 April. Rather than detail these well-known issues again in depth, they can be summarized as follows:

- Due to the uncertain timing of Easter each year, a mid April Primary National Offer Day can result in:

* Reduced ability for the LA to validate school offers. 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 increased possibility of Primary Offers being made in Easter School Holidays, delaying the acceptance of school offers and providing parents with no alternative but to raise any concerns with the LA, where schools are often better placed to provide meaningful answers.

- * The possibility of a significant period where parents are able to raise Primary Appeals. As the Appeals Code specifies the timeframe in school days from Offer Day, a badly timed school holiday can increase the appeals window by an additional two weeks. This leads to an increase in overall appeals lodged, while simultaneously reducing the time in which appeals can be heard before the end of the school term.

- Neighbouring LAs fail to provide Kent with outcomes of Kent residents applying for their schools until a few days before National Offer Day. In previous years this has led to Kent being forced to offer these parents an alternative Kent school with a subsequent offer where the other LA was then able to offer a place. We were able to avoid this situation this year, but as a result of better internal planning rather than receiving the data at an earlier point in the process. It would be of great help if the framework that underpins the Admission process provided stricter requirements regarding the delivery of application outcomes, where it currently only provides helpful timing for the exchange of initial application information.

Parents understandably feel aggrieved by many of these issues and blame the LA for what they perceive to be poor planning. This can then complicate the resolution of larger issues, as parents have already formed a view the LA is unhelpful when in fact solutions may be outside of its control or reliant on 3rd parties.

Kent continues to have concerns around the timing of DfE responses when implementing new Academies and Free Schools and the apparent disconnect with the LA's responsibility to keep parents informed of school availability and provide admission arrangements for every school in the round. Final agreement for a school can often come after the closing date for applications. This understandably results in little or no interest in the school and disappointing National Offer Day results. While the LA carefully signposts progress to parents, it often comes too late, or too infrequently to provide parents with any confidence when deciding to select the school.

We have experienced the DfE occasionally providing conflicting information to Academy chains, raising concerns about arrangements that have already had DfE sign off, or even in some cases, making Trusts remove whole sections of admissions arrangements that other representatives of the Department had made them include. This leads to significant delays and whilst the LA may not have been consulted in this regard it is the LA that are contact by confused Trust members seeking help to resolve the issues. Whilst recognising there appears to be an inherent desire to play down the need for LA involvement

our experience has been that the depth of knowledge of some individuals leading new school developments have fallen far short of what would have been expected. This places a continued burden on the LA, who retains the responsibility to ensure a fair and consistent processes, and also are held accountable for a lack of places which may have resulted from delays in schools opening due to poor project management by external agencies.

This highlights how important it is that LAs maintain a role in overseeing admission and direct involvement in new school developments in their areas. As government move towards a Multi Academy Trust approach to future education delivery it is imperative the LA is integrated to the process in order to ensure the right numbers of places come on line at the right times in the right places.

Secondary

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

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

Comments: For the third year in a row, Kent has been required to manage the closure of a school during the Secondary Transfer Round.

This continues to highlight 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 where 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. This issue has been raised repeatedly with the RSC/EFA and DfE but to no avail. It is leading to inefficient use of scarce public funding

The first casualty was the Chaucer School in Canterbury two years ago. Schools in the locality admitting over PAN ultimately led to the forced closure of the school which had already started to improve its results.

Two further Kent Secondary schools were closed last 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 and caused significant anguish, not least when places had to be allocated outside of the county much to the distast of Kent residents who had moved to Kent to access the Kent school system.

This year another Kent Secondary school has been claimed as a result of being unable to balance its budget once a large cohort left at the top year of the school, to be replaced by a much smaller predicted intake next year.

Under previous funding regimes the LA could have put a package of support

in place to support these schools 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.

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

Tick as appropriate: Yes ☒ No ☐ N/A ☐

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

Kent has one UTC and two neighbouring LAs have a single UTC each. Kent has an established small scale process to deal with applications from Kent residents to any of these establishments. Applications were limited to paper CAFs only, although recent system changes may allow us to provide an online process in future. Applications are 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 additional work did not significantly impact the admissions team. The Kent UTC appears to have no intention to take up the option to co-ordinate their own admissions process.

Kent's UTC is currently consulting to add a second normal point of entry to the school, into Year 7, while maintain their current Year 10 intake. This may explain why they are content to allow the LA to continue to co-ordinate their Year 10 intake. It is the LAs understanding that the Trust is seeking to revise their intake to ensure that the establishment remains viable, while also providing additional capacity in the area.

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

The Code sets out that in-year admissions do not have to be co-ordinated by the local authority.

- (a) How many **pupils** have needed a school place because they do not have one or because parents have applied for a place as an in-year admission for any other reason between 1 September 2015 and 15 June 2016?

Number of pupils up to	Number of pupils over	Number of post-16
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age 11	age 11	students
6300	2203	NA

(b) Does your local authority co-ordinate in-year admissions for all, some or none of the schools in your area?

Tick as appropriate: All ☐ Some ☐ None ☒

If 'Some', please complete the table below as appropriate

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) Do you have any information about how many schools parents might approach before obtaining a place? Please comment on any issues that have come to your attention.

Comments: Kent have no firm data, however the feedback we receive from parents suggests that in areas where there is limited availability, parents may have approached anything up to 10 schools before contacting the LA for assistance. Schools are often reluctant to accept applications and do not always provide parents with the necessary information such as contacting the LA for assistance. Schools do not always refuse applications in the correct manner (ie in writing) or inform the parent of their right to appeal or the reason for refusing admission until the LA become involved.

(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? (If you co-ordinate all admissions for all schools then please tick not applicable.)

Tick as appropriate:

Very confident ☐ Confident ☐ Not confident ☒ Not applicable ☐

(e) Across your local authority, 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: Kent have never previously considered In Year coordination a necessity but have always maintained that schools must be required to keep LAs informed promptly of any pupil movements. Historically in Kent schools were empowered to make these decisions on behalf of the LA and the LA closely monitored admissions activity to ensure propriety. Sadly in more recent times the perceived freedoms of Academy schools to make their own admissions decisions seemingly with the misconception they need not adhere to the Admissions Code or advice of the LA it may now be a time to re-establish in year coordination. It has been our experience that intentionally or otherwise, some schools have failed to recognise their legal obligations, failed to keep the LA abreast of pupil changes and indeed failed to recognise the correct procedures they need to follow in order to make changes to arrangements.

If we are to move towards MAT arrangements with all schools outside of Local Authority control, then it would be appropriate to identify the home LA as the body to impartially monitor the correct application of admissions by individual academy schools and coordinate all admissions including in year admissions to ensure fair and equitable arrangements are both in place and applied as published. KCC is the admissions authority for fewer schools each year and do not co-ordinate in-year admissions. This is efficient for learners to be able to access school quickly, but because no timeframe was defined in the admissions code for informing the LA our greatest problem and concern is in relation to lack of information regarding the movement of children and the local authority being informed in a timely manner.

The quality of information held by the County is reliant on schools returning copies of applications forms to the LA. However over this past year we have observed more and more schools disregarding this process. This raises concerns around safe-guarding and children who are missing education. Historically this was always done willingly, but there appears to be a conscious distancing of some Academies from the LA presumably under the instruction of their MAT. It's a worrying development but we believe this is part of a range of damaging strategies some schools are seeking to implement to lose their more challenging learners in order to improve results.

We have better compliance from primary schools, but limited effectiveness with secondary schools. The LA is the admission authority for only a small number of secondary schools and as such we are at the mercy of Academy trusts that may not wish to engage or comply with the process. We believe this leads to young people being disadvantaged and left without school places for unacceptable periods of time. Academies in particular do not always inform parents in writing of the outcome of their application, neither do they inform the parent of their right to an independent appeal.

4. Fair Access Protocol

The Code at paragraph 3.9 requires each local authority to have agreed a Fair Access Protocol 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 your 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
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

- (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 and all adhere to the IYFA protocol. Where we do experience difficulties is where we have sought to achieve buy in from all schools in a locality to actively support inclusion work and reduce exclusion by implementing managed move processes.

Kent has seen excellent collaborative working between schools and genuine commitment to meet the educational needs of all learners in their areas but there remains some difficulty in making these processes work without the need for IYFA if any one school fails to engage and continues to exclude.

IYFA is invariably adhered to, there have historically been instances where following a panel decision schools have not wanted to admit, but this has always been resolved at the 'Intention to direct' stage without the need for third party intervention which is a credit to the schools concerned.

There has been a change the structure of departments within KCC and the

Elective Home Education (EHE) team and the Children Missing Education (CME) team now sit within the Fair Access department which manages admissions. This has highlighted a number of patterns which give cause for concern. Young people with challenging behaviours or with a history of absence are leaving schools to EHE. On contacting and visiting the families it is quickly apparent that home education is not always a viable option. Some parents have been found to be completely unaware of their responsibilities or the cost involved. Patterns show peaks prior to school census and high numbers of year 11 which indicates this may be more school driven than genuine parental choice and it is something we believe the adjudicator and the DfE should take a significant interest in. The process we have developed in Kent mean that we visit the family at the earliest opportunity and where a CYP wishes to return to school, the Senior Access to Education Officers within Fair Access present their case to panel and they return to their previous school unless there is an underlying reason why an alternative should be considered.

- (d) (i) Please give your assessment of how well your Fair Access Protocol has worked in the academic year 2015/16 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 with 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: Ashford panel works very well. LA Officers are involved in the whole process involving Managed moves as well as IYFA discussions. There is consistent attendance from all schools in which the Head Teachers (HT) and their Inclusion Manager attend. All schools work collaboratively and are solutions focused. Young People (YP) are thoroughly tracked at each meeting and are not removed from the running sheet until appropriate provision is secured. There is a real inclusive spirit within the panel as the schools always try and find the right solution for the YP.

Thanet panel works very well. It is a consistently well attended panel by HT's and is also solutions focused. Where a YP moves into the area and requires an AC place, the panel have a local agreement whereby the cost of accessing

an AC place is shared equally amongst all the schools (which includes the Grammar schools). All cases presented to the panel are consistently tracked by the LA.

Dover panel works well, it is also consistently well attended by AHTs from the local secondary schools. As in Thanet, the Dover schools will agree to contribute a percentage of the costs toward an AC place for a YP which moves into the area. All cases presented to the panel are consistently tracked by the LA.

West Kent Learning Federation IYFA Panel work well, all schools take part, Grammar schools attend. The panel extend the meeting to include Managed Moves and allocate CYP to the PRU& A/C where appropriate.

Maidstone panel is more fragmented, one school continues to refuse to engage with the managed move process but will adhere to the IYFA arrangements. Efforts are ongoing to seek an agreed approach all local schools have confidence in.

Gravesham Inclusion Forum (GIFT) works particularly well; all schools fully on board with IYFA ; great collaboration amongst schools in terms of managed moves / monitored transfers and observed transfers.

The Panel has always been attended by Deputy HTs / Assistant Heads who have the autonomy to make decisions.

Dartford – previously attended by Deputy HTs / Assistant HT – but without the autonomy to make decisions; which meant an outcome at Panel was not always reached for CYP. From Sep 15 there was a commitment that head teachers would attend.. This has resulted better collaboration amongst schools in terms of managed moves and monitored transfers (to avoid permanent exclusion) and decisions are reached in terms of IYFA pupils.

Last year, on occasions The LA had to resort to pursuing a direction to ensure IYFA pupils were admitted however there has been no need during the current academic year. Some schools have had to be challenged over an offer of a school place they made for a pupil and subsequently refused to honour but in these cases the pupils have been admitted once challenged by the LAs admissions officers.

Canterbury & Swale .

Canterbury Inclusion Service works very efficiently with an independent Chair and Clerk. Headteachers attend the Panel and have an inclusive approach to avoid permanent exclusions and have invested within school to develop their in house resources for vulnerable pupils and the Canterbury City and Coastal provision has high numbers of young people being re-integrated into mainstream in both KS3 and KS4.

Swale Inclusion Service is being reviewed greater demand on alternative provision in this locality and as a result less has been invested in schools to strengthen their own in house provision and as a result higher numbers of vulnerable pupils are raised at IYFA.

All schools in Swale and Canterbury have admitted Year 11 pupils and where

appropriate new Year 11 pupils have been admitted into the Swale Inclusion Service or Canterbury City and Coastal College (AC Provision)
Swale Primary Panel works well with an independent Chair but manages high numbers of Primary exclusions and the schools feel under resourced to manage the children's needs.

Isle of Sheppey IYFA Panel works well but a lack of places in the locality has had an impact on schools and their ability to absorb vulnerable children when their schools have already exceeded their PAN to meet demand for school places.

Canterbury Primary Panel meets when required and works well with an independent Chair but very few cases arise.

Kent has a rich and diverse mix of schools and very different demands in different localities, the descriptions above give a flavour of operations across the county and it is fair to say it is stronger in some areas than others, but for the most part we believe we have every positive attitude from Kent schools and a genuine desire to do the best for learners in their localities.

- (f) Have you had 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: These have all been managed without the need for external intervention from the EFA or the Adjudicator in this academic year, but that has not meant that there haven't been delays and resistance from some schools which have impacted on learners. Fortunately admission have taken place once a letter has been sent outlining our intention to seek a formal direction from the Secretary of State.

- (g) How many children have been admitted under the protocol to each type of school in your area? 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
Community	70	5	0			
Voluntary Controlled	7	0	0			
Voluntary Aided	7	3	0			
Foundation	1	32	0			
Academy	28	92	0		6	

Free School	0	0	0			
UTC	N/A			N/A		
Studio School	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
Community			
Voluntary Controlled			
Voluntary Aided			
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

- (j) Please add any other relevant information you wish to include in sections g - i concerning Fair Access Protocols.

Comments: Schools do not always admit pupils willingly once a decision has been taken to date though LA intervention has been sufficient to bring schools around.

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 comments reported in 2014, and data gathered for the first time in 2015, in response to the invitation to *“add any comments about the appeals process in your area”*, it would be helpful to gather views once again across all local authorities on the extent to which schools that are their own admission authority continue to use local authority services for admission 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 of your 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
Voluntary Aided	18	0	-
Foundation	9	2	-
Academy	56	3	0
Free School	3	0	-
UTC	N/A	0	-
Studio School	N/A	0	-

(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)
Full appeals process	Y	N	N
Legal advice	Y	Y	N
Assistance in the preparation and presentation of case documentation	Y	N	N

(d) Please add any other service related to appeals obtained from your 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. There remains some concern that there appears to be no direct oversight of the appeals process conducted by academy schools and this should be addressed in the future so that they are governed by an external agent in the same way as the LA or once LAs are no longer operating schools, this should be extended to their remit.

(e) Please add comments about any aspects of the appeals process in your area that work well or that cause difficulties, as appropriate.

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 legislation is a factor. Despite efforts to educate parents about these

limitations, they 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. Parents continue to complain at the perceived inevitability of the outcome when their appeals are not upheld. This situation is made worse where parents spend considerable time, or worse, considerable money preparing for their appeals, often with the help of outside agencies. Parents are understandably weary of taking advice from a Local Authority that has not offered them a school of their choice and in their eyes, forced them to have to appeal in the first place.

The LA understands why parents raise these concerns, but recognises it must advise parents of their right of appeal. Further improvements to local guidance appear to have reduced the level of appeals this year, but the LA is concerned that any further clarity will likely discourage them to take advantage of their right of appeal. While this clarity is provided with the best of intentions, it places the LA in a difficult position, where parents could argue they were discouraged of their right of appeal. As previously requested, it would be helpful for national guidance to be provided that 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 in the Code 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 your 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
Voluntary Aided	4	0	-
Foundation	2	4	-
Academy	12	16	0
Free School	1	0	-
UTC	N/A	0	-
Studio School	N/A	-	-

- (b) How confident are you that your 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 you a copy of their full admission arrangements, including any supplementary information form (or any such form by another name, for example, religious inquiry form) if one is used, by 15 March, as required by 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
Voluntary Aided	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		
Foundation			
Academy			
Free School			
UTC	N/A		
Studio School	N/A		

B. Fraudulent applications

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

Tick as appropriate: Yes ☒ No ☐

- (b) Did your 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?

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	9	?	-
Voluntary Controlled	4	?	-
Voluntary Aided	0	?	-

Foundation	1	?	-
Academy	1	?	?
Free School	1	?	-
UTC	N/A	?	-
Studio School	N/A	?	-

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

Comment: Kent has long held the view that anything it can empower its schools to complete on its behalf should be devolved to them. The checking of address legitimacy is once such function. All publicity informs parents that they must be able to demonstrate that the child is living at the named address at the time of application and when a school offer is made they must take this proof into the school in order for the offer to be confirmed as legitimate. The benefit of this system is each school only has to check the address of the child offered a place and removes completely any duplication of this. In some instances schools with concerns might ask the LA to carry out further investigations on its behalf but for most especially at primary schools they will now the families presenting. 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, delegating responsibility to the school to check validity of applications, following the offer of a place on National Offer Day is the obvious solution. 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. Schools are incentivised to complete this work diligently because they understand that unless they can demonstrate the offers have been made correctly in line with the oversubscription criteria, they cannot defend their position at appeal.

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.

This year, there has been a marked increase in cases where children whose parents have separated are reported to spend an equal number of school nights at each parent's home. Often these are informal arrangements with no Court Orders to evidence them. The LA acknowledges that admission arrangements should include a definitive response to which address should be used in these circumstances, however, to date have found no guidance on what would be perceived as the fairest approach. While using the address nearest to their preferred school would appear fairer for the child in question, other children could be perceived to be disadvantaged.

Another scenario that has increased in frequency this year is families moving back in with their parents, for any number of reasons including relationship breakdowns, financial hardship or support during health concerns. Applying parents often continue to retain ownership of their previous residence. On the surface, these can appear to be obvious attempts to circumvent the admissions process, but the LA remains concerned that some honest applicants may be negatively affected in our efforts to ensure fraudulent applications are identified and dealt with.

Kent previously reported a new approach to attempt to counteract the use of short term rentals. The move increased the level of evidence required from applicants who did not have a long term residence or who moved within the first school term after offers were made. Parents were expected to provide sufficient evidence to show that they had not manipulated their circumstances to secure a school place they would have otherwise have not been eligible for. This approach has resulted in a small number of additional school places being removed and Kent is hopeful that as the process matures, more fraudulent applications will be identified and dealt with.

C. Summer-born children, deferred entry and part-time attendance

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 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 in answer to (a) above**, please complete the tables:

Type of School	In 2015, how many requests for deferred admission to year R in 2016 were agreed for a child who will have reached the normal age for Year 1?
Community & Voluntary Controlled	
Own Admission Authority	

Type of School	How many requests to defer admission to year R in 2016 were received?	How many of those requests were subsequently agreed?
Community & Voluntary Controlled	?	18
Own Admission Authority	?	10

(b) What reasons, if known, were given for seeking to defer the admission to year R of children for a full school year?

Comments: Kent does not currently record every request for deferred entry from parents of summer-born children as these are often be made directly to schools. While Kent has requested that schools inform us when these discussions have taken place, the LA has instead set out clear guidance on how to manage any request and we have clearly published a process for families. We have also fielded many enquiries from schools directly to ensure a consistent message.

Schools have contacted Kent to discuss the specifics of the request to get a better understanding of what is required of them. This has highlighted some regular themes around reasons for the requested delayed admission and it allows us to at least offer some anecdotal feedback.

A smaller number of requests come from parents of children born prematurely, or who have suffered some form of significant illness or challenging circumstance in their early life. These cases are invariably supported by admissions authorities, as it can be clearly demonstrated it would be in the child's best interest due to delayed development.

The majority of requests appear to be from parents concerned that their child would be disadvantaged because they read research into the relative performance of summer born children in general. They have been unable to demonstrate why it would be in their child's best interest to be taught outside of their chronological yeargroup but have formed a view that it may be advantageous for their child to secure an additional year of foundation learning. It appears that there are growing concerns from these parents that their child might miss if they are not given the additional years education

and most seem oblivious to the considerable awareness of this concern within schools and the significant differentiation of curriculum on offer and additional support provided to ensure no child gets left behind, summer born or otherwise.

Parents often fail to make a connection with their own child's development or the need to demonstrate (as acknowledged in DfE guidance) as to why it is in their child's best interest. Sometimes there is a supportive letter from the child's nursery, who may have a financial incentive, however, most cases are on the basis of parental preference. This is a particular concern in Kent as it would appear some parents are seeking to do this in the vain hope it will secure their child some advantage in the selective process for grammar schools. In fact test will need to be further age adjusted, and going through secondary education outside of the correct chronological age group can be very damaging at secondary school because children find they are too old to play in external competition with their peers in all sorts of sports and arts categories.

Kent maintains that the Admissions Code requires admission authorities to make the decision on the best interest of the child and this is only possible where the opinion of a trained educationalist is also considered. This fulfills the requirement of the Code, that the Head Teacher's opinion is considered, a position Kent has strongly supported since Summer Born applications became a large topic of interest, even before it was made a requirement of the Code.

As expected, parents have been confused by the open letter sent in August last year requesting that Admission Authorities allow parents to simply choose which year group their child starts in. While this approach would obviously remove a significant amount of work for schools and the LA, it has yet been shown how this approach would be in the best interests of all children. There are many cases where a child would be best served by being in school and supported by trained teachers with a wealth of experience in adapting the differentiating the curriculum accordingly.

(c) Do you have any other comments on the matter of admission of summer-born children, including requests to delay admissions made after the allocation of places in the normal admissions round?

Comments: Less than three years ago, most authorities would be hard pressed to think of a case relating to a summer born child. It has now become one of the largest talking points of every admissions meeting or forum across the country. The more attention and guidance that is provided only seems to inflame the situation and causes more parents to be concerned as to whether they are doing the right by their children by putting them in school aged 4 years if they are summer born.

Kent has always supported children in applying outside the normal point of entry where their circumstances warrant this and it continues to do so. Allowing some children to start school a year later simply increases the age gap within a class further, increasing the disparity rather than removing it. If the current approach reaches its natural conclusion, with most summer born

children starting school a year later, spring born children will then be the "disadvantaged" group and the whole scenario starts again but with up to a 15 month age difference.

Kent's main concern is that this lack of detailed advice for parents. While the Admissions Code is understandably in place to support vulnerable learners, its other function is to provide direction and clarity to the average applicant, and to ensure that less scrupulous parents are unable to manipulate circumstances to give their child an advantage not available to others. The LA has seen a large number of requests for application outside the normal point over entry made after National Offer Day, often after parents have not secured a place at one of their preferred schools. This is usually at Good or Outstanding schools, or in cases where schools have offered an unusually short distance from the school when compared to intake patterns from previous years. While there is obviously no proof that parents are using this change in the Code to secure a second attempt at a school of their preference, this appears to be a worrying admission trend and this situation is a particular concern.

Kent's process, in line with that suggested by the DfE, requires parents to request application outside the normal point of entry at the expected application window for that child's date of birth and to make a normal application at the same time. This application can then be cancelled if agreement is given from their preferred school(s). The guidance makes clear that if the request is not supported, the parent must decide to start school before statutory school age in Reception, or at statutory school age in Year 1. Where requests are made late, however, there appears to be an expectation that parent's request will be supported simply because they did not make an application at the expected time, meaning the child would now need to start in Year 1 next year or in the current Reception year which may have already started. Parents are further frustrated by the fact that at this late stage, spaces only tend to be available at less popular schools.

At no other point in the Admissions process are parents given an advantage by failing to follow the process, but schools are being unfairly asked to decide what is in a child's best interest at point much later than the DfE suggested they would be required to. With some families going as far as withdrawing children who have almost completed Reception and seeking to re-apply outside of the normal admissions round to sit that year again. Because the information available to schools and LAs is in the form of non-statutory guidance, it is proving challenging and extremely time consuming to argue that children are in this position as a result of the parents failure to act sooner. This unfair pressure should not result in agreement from schools that would not have been provided agreement if the parent requested delayed entry at the appropriate time. This loophole needs to be closed in whatever forthcoming changes are made to the Code.

In spite of repeated questioning from schools and LAs, the impact on school's funding remains another unaddressed area of concern that is yet to be addressed. 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.

- (d) Do you have any comments about paragraph 2.16c) in the Code concerning the offer and/or take-up of part-time attendance by children below compulsory school age?

Comments: Kent has not heard many reports of parents requesting to take this option up and no cases so far where there has been ongoing disagreement. Kent has concerns that "part-time" is open interpretation, which provides an opportunity for disagreement, but this has caused no issues so far.

Interestingly one school did choose to interpret 2.16a to support a mandatory staggered induction process into Year R over 2 weeks, where children were only offered half a day of education each day. They suggested that the phase "in September" allowed them to do this, as full time education was provided at some point in the month of September. KCC's position is that the DfE introduced this change to enable parents to return to work sooner, if they so wished and part time attendance was a decision for the family not the school. It does however highlight the need for further clarity of description in the code.

D. Pupil, service and early years premium

The 2014 Code permits 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 must have consulted as required by the Code in paragraphs 1.42-1.45.

- (a) Pupil and service premium

In respect of community and voluntary controlled schools:

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

Comments: No Community or Voluntary Controlled School prioritised Pupil Premium children for 2016 although ongoing discussions throughout the year led to a Community Grammar School consulting on a priority for 2017 intake, which will be reported next year. Kent intends to continue this work and look to broaden this to other schools for 2018 following a proper consultation with the schools themselves and other interested parties.

In respect of own admission authority schools:

Type of School	Has the LA been consulted by any own admission authority of the type shown below on giving priority to pupil/service premium? (Y/N)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	N
Foundation Primary	N	N
Academy Primary	N	N
Free School Primary	N	N
Voluntary Aided Secondary	N	N
Foundation Secondary	N	N
Academy Secondary	Y	2
Free School Secondary	N	N
UTC	N	N
Studio School	N	N

Comments: One Secondary Academy consulted to add priority for Pupil Premium children for 2016, although this was only limited to 5 places. Five own admission authority schools consulted to add some priority for Pupil Premium children for 2017 however. The LA supports this approach and looks forward to report on each school's approach in next year's report.

(b) Early years pupil premium - nursery priority

In respect of community and voluntary controlled schools:

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

Type of School	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)	If YES in response to consultation, for how many schools has the priority been implemented? (Please give the number)
Voluntary Aided Primary	N	N
Foundation Primary	N	N
Academy Primary	N	N
Free School Primary	N	N

Comments: No school consulted to add this priority for 2016 intake. Kent will monitor to ensure that where schools do consult to add this priority in the future, it is limited to early years premium children only.

E. Local Authority Issues

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

Comments: Kent now has 1711 children & young People registered to Electively Home Educate. Numbers are increasing at an alarming rate and the month of May recorded 130 new registrants against 32 who returned to school. Kent are conscious that there will be a hidden cohort of young people who due the lack of legislation are not brought to the attention of the LA.

It is evident from our data that those who are not long term electively home educated young people are more likely to become NEET. Current numbers of year 11 EHE without an onward route in Kent is 250. Officers are working collaboratively with colleagues to identify these young people and to ensure they receive information relating to college courses and year 12 places in their locality.

Kent have implemented their Policy and this has been well received by the EHE families who register with us. Fewer families refuse to engage, however the families who do refuse to engage are often the most vulnerable who use Education at home websites and forums for cut and paste statements and advice from established home educators who misunderstand the gravity of the effect their well meaning advice not to engage with the LA has on the most vulnerable of children & young people .

Officers are visiting families quickly and where they identify malpractice of schools this is recorded and the

Culpable School is contacted by Fair Access Officers who set out the concerns of the LA and advise that the CYP will be returning to the school through the IYFA panel. This academic year Kent have received 886 new registrations. 105 of these were year 11. 343 EHE CYP have returned to school either through the IYFA process or via a casual admission and 8 have been offered alternative curriculum provision.

London Borough of Redbridge Relocating Homeless Families on mass to Kent

The adjudicator may have picked up in the media the debacle in Canterbury where the MOD sought to sell off the Howe Barracks for accommodation. Canterbury City Council (who have to find provision for 2000 of their own homeless) were outbid by the far more generously funded London Borough of Redbridge who have promptly begun relocating 200 families from the London Borough to the old barracks in the city.

This process has started despite the concerns raised by Kent County Council in relation to the fact there are currently no Secondary school places available in the city and those children presenting (73 so far from the first 41 families) will have no provision available locally. The primary sector is not such a concern as there remains availability in the city but the nearest secondary school with spaces is 10 miles away. It cannot be right that an authority can absolve itself of its responsibility for the children it had a duty to educate by simply buying up cheap housing 80 miles away and suggesting it is now that local authorities problem. In many instances these will be families in vulnerable situations and were this children in care, this would not be allowed without proper planning to ensure they can access suitable education.

This is going to be a growing problem for authorities if London Boroughs are free to buy up cheap housing developments, pricing out and displacing local communities and doing it on mass so there is no time for the infrastructure to be put in place. LAs can manage a gradual change to school intake patterns but cannot plan for mass migration coordinated to happen all at once with no funding from the placing LA to support their access to education. This is an

entirely different situation where a school closure may result in a redistribution of learners. There is time to plan a redistribution of learners, and scope to implement special arrangements with local schools within the admissions code. The direct actions of this borough will mean there will be some children who will have great difficulty in accessing education and this will have cause to generate significant additional expenditure for school transport and school expansion, that KCC has no budget to deliver.

The problem is further exacerbated by the fact that the schools in Canterbury that have both the potential and will to expand, have been denied this opportunity by the Regional Schools Commissioner (RSC) because they are presently RI schools. This means KCC, will be unable to meet its duty to maintain the necessary provision of school places unless prompt action is taken to remedy the situation. This issue is being raised with the RSC directly but could be a developing issue across the country and the Adjudicator may wish to therefore give consideration to this emerging concern. The LB of Redbridge by relocating these families have caused the problem and have offered no additional support in regard to education for these families. If the RSC does not take action soon KCC will be unable to meet its legal obligations to this sizeable community which is being bussed into the centre of Canterbury by the London Borough of Redbridge. KCC would want to see the Adjudicator look at the impropriety of these actions and draw to the attention of Ministers the impossible situation this places host LAs in. There must be a mechanism whereby the host LA can recharge the placing authority. If these children are to access education promptly LAs must be able to recover funding in the same way as is the case for re-charging LAs who place SEN learners outside of their borough boundaries. This is not a short term solution for the LB of Redbridge, they have signed a 30 year lease which will provide them with a long term pipeline into Kent for their vulnerable families. This will create a long term drain on Kent's scarce resources as it struggles to meet the needs of this new community, placed into an old army barracks with no community infrastructure that you might ordinarily expect from a new build arrangement.

There is a further added concern in regard to this extraordinary arrangement whereby it appears that after a relatively short period of time were LB of Redbridge to evict the families they are relocating, this burden would fall to the local authority in which they have been placed. In effect, intentionally or otherwise, LB of Redbridge have potentially developed a conduit to remove all its challenging and/or vulnerable families to a less well funded council who could legitimately be left with picking up the costs of their re-housing. What has started as an education planning concern has far wider reaching consequences and government must surely seek to address.

KCC would be happy to meet to discuss these difficulties further.

Thank you for completing this report

Please email your completed report to: osa.team@osa.gsi.gov.uk