



Office of  
the Schools  
Adjudicator

**Local Authority Report**  
to  
**The Schools Adjudicator**  
from  
**Royal Borough of Kingston upon Thames**

to be provided by  
**31 October 2023**

**Report Cleared by: Charis Penfold**  
**Director for Education Services**

**Date submitted:**

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## Introduction

Section 88P of the School Standards and Framework Act 1998 (the Act) requires every local authority to make an annual report to the adjudicator. The Chief Adjudicator then includes a summary of these reports in her annual report to the Secretary of State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.30 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other matters. Paragraphs 6 and 3.30 of the Code require that each local authority publish its report locally.

## Section 1 - Normal points of admission

### A. Co-ordination

i. How well did co-ordination of the main admissions round work?	Not well	A large number of small problems or a major problem	Well, with few small problems	Very well
Reception				✓
Year 7				✓
Other relevant years of entry				✓

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

Overall coordination went very well due to the structure and shared deadlines shared by the London Boroughs under the Pan London scheme.

The requirement to allow families to apply from overseas before arrival in the UK resulted in a number of speculative applications (parents applying to more than one local authority while they decide where to live) and places being allocated when they were not required. These applications require increased administrative resources to monitor and communicate with prospective parents.

### B. Looked after and previously looked after children

- i. How does the admissions system in your local authority area serve the interests of looked after children at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

- ii. How do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

- iii. How does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

- iv. How does the admissions system in your local authority area serve the interests of previously looked after children at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

v. If you wish, please give examples of any good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at **normal points of admission**:

The validation and allocation of LAC/PLAC children is managed well under the Pan London protocols.

### C. Special educational needs and/or disabilities

Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at normal points of admission:

Children with an EHCP living in another borough - it is often unclear how many children will be attending a particular school where consultation has involved multiple schools, but the school is not updated that another school has been named on the final plan. This results in unnecessary places being held for EHCP pupils in the initial round of allocations which are subsequently filled from the waiting lists.

## Section 2 - In-year admissions

### A. Looked after children and previously looked after children

- i. How does the **in-year admission** system serve children who are looked after by your local authority and who are being educated in your area?
- Not at all  Not well  Well  Very well  Not applicable
- ii. How does the **in-year admission** systems in other local authority areas serve the interests of your looked after children?
- Not at all  Not well  Well  Very well  Not applicable
- iii. How does the **in-year admission** system serve the interests of children who are looked after by other local authorities but educated in your area?
- Not at all  Not well  Well  Very well  Not applicable
- iv. How does your **in-year admission** system serve the interests of previously looked after children?
- Not at all  Not well  Well  Very well  Not applicable

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

There is expectation for borough schools to over-allocate to admit looked-after and previously looked after children. This is not always the case in other boroughs when seeking placement for Kingston's looked after children.

### B. Children with special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who have an education, health and care plan that names a school when they need to be **admitted in-year**?
- Not at all well  Not well  Well  Very well  Not applicable
- ii. How well served are children with special educational needs and/or disabilities who do not have an education, health and care plan when they need to be **admitted in-year**?

Not at all well  Not well  Well  Very well  Do not know

iii. Please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for children with special educational needs and/or disabilities:

Children with SEN and no EHCP – there is an increasing number of children moving into the borough from overseas who have highly complex needs which are likely to need specialist provision, but require an assessment for an EHCP. We are currently triaging children in this category to see whether they are suitable for placement at a mainstream school under the Fair Access Protocol to allow the needs assessment to take place. Schools' resources are increasingly stretched, and Headteachers are concerned whether they are able to appropriately support the child. This often makes the final allocation difficult, delaying the child's entry into school. The complexity of these cases is adding additional pressure on the admissions team and supporting services. It is also the case that there are no vacant specialist school places within the borough and they are scarce elsewhere, so schools, generally, are being asked to educate children who would, in previous times, be educated in special schools.

### c. Fair access protocol

i. Do you have a fair access protocol agreed with the majority of state-funded mainstream schools in your area?

Yes for primary

Yes for secondary

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

iii. How many children were admitted to schools in your area under the fair access protocol between 1 August 2022 and 31 July 2023?

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
Community and voluntary controlled	6	n/a
Foundation, voluntary aided and academies	6	96
Total	12	96

- iv. If you have seen a change in the number of children referred to your Fair Access Protocol between 1 August 2022 and 31 July 2023 compared to the previous academic year please indicate what you consider the key reasons for this change to be?

The sustained increase in in-year admissions since 2021/22 is putting pressure on places in certain year groups across the borough. There is a scarcity of school places in Years 4 to 6 in North Kingston, and the secondary schools are full in Years 7 to 10, with limited capacity in Year 11. This requires secondary in-year admissions to be managed via the Fair Access protocol once children have been unplaced for four weeks. 46 children have been allocated via Fair Access in the first half term of 2023/34, and secondary schools are currently 149 children over capacity.

- v. How well do you consider children referred to the fair access protocol are served in in your area?

Not at all well  Not well  Well  Very well  Not applicable

- vi. Please provide any comments you wish on the protocol not covered above:

The protocol is fully supported by all schools. It is reviewed annually and any changes ratified collectively by the Headteachers. The children are allocated equitably across the schools, and the Headteachers are committed to admitting children as quickly as possible. However, schools are nearing physical capacity and it may become increasingly difficult to accommodate additional children if the number of in-year applications remain at the current level.

## D. Directions

How many directions did the local authority make between 1 August 2022 and 31 July 2023 to maintained schools for which the local authority is not the admission

authority to admit children (including children looked after by the local authority but resident in another area)?

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

**E. Other points on in-year admissions**

i. For the schools for which the local authority co-ordinates in-year applications, in the year between 1 Aug 2022 and 31 July 2023 did you receive

- Significantly fewer applications than last year
- slightly fewer applications than last year
- about the same
- slightly more than last year
- significantly more than last year

ii. For what proportion of schools in your area did the local authority co-ordinate in-year admissions during the 2022/2023 academic year

- None
- All
- Some but less than or equal to half
- More than half but less than all

iii. If you wish, please provide any comments about how **well in-year admissions** works for children who are **not** looked after or previously looked after and/or do not have SEND:

Schools are increasingly referring to children under paragraph 3.10 without sufficient evidence of challenging behaviour. This is in response to the high levels of children on roll with SEN and SEMH needs which is putting increasing pressure on resources without additional funding.



iv. If you wish, please provide any other comments on the admission of children **in-year** not previously raised (you may wish to include here any comments about cases where it has not proved possible to find places for children):

Applications from children currently living abroad - The number of in-year admissions remains high following the significant increase in 2021-22. Over 40% of the applications are from children arriving from overseas, requiring schools to direct existing resources towards supporting children with EAL and SEN. The requirement to accept an application from overseas before the child arrives adds a further level of complexity to the allocation of school places, as the applicants have to be tracked to ensure they have arrived in the UK, and applications reassessed based on the confirmed local address.

Capping of places - as the PAN only applies to the normal year of entry, schools are able to cap their numbers in subsequent year groups at any point in the school year, and sometimes in response to a request to admit a child with additional needs or challenging behaviour. It would facilitate school place planning and the administration of in-year transfers if schools were required to confirm their intended admission number for each year group before the start of the academic year.

### **Section 3 - Other matters**

Are there any other matters that the local authority would like to raise that have not been covered by the questions above?

Infant Class Size appeals – appellants have an unrealistic expectation of success despite information provided to them setting out the limited grounds under which an ICS appeal can be upheld. It would be more beneficial for the appellants and more cost-effective if the School Admission Appeals Code allowed for a first stage appeal for an independent panel to review the paperwork to determine whether there are any grounds for the appeal to proceed to a full hearing.

Priority for children of staff - currently the legislation only allows for priority to be given to staff working at the school the child will be attending. We have received feedback from schools that this disadvantages staff working in an infant school linked to a junior school at the point of transfer. The staff do not have the same opportunity for priority through to Year 6 afforded to children working in a primary school. This impacts on the retention of staff as some staff members need to work close to the school their young child attends to manage childcare.

### **Section 4 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2024.

The report was straightforward to complete.