



Office of
the Schools
Adjudicator

Local Authority Report

to

The Schools Adjudicator

from

Haringey Local Authority

to be provided by

31 October 2022

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

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Introduction

1. Section 88P of the School Standards and Framework Act 1998 (the Act) requires every local authority to make an annual report to the adjudicator. The Chief Adjudicator then includes a summary of these reports in her annual report to the Secretary for State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.30 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other matters. Paragraphs 6 and 3.30 of the Code require that each local authority publish its report locally. Local authorities do not have to include this introduction and guidance in their locally published report.
2. In 2020 and 2021, we asked far fewer questions than in previous years, asking only for the minimum information required by the Code. This was in response to the pressures on local authorities and others in the light of the Covid-19 pandemic. This year, we have again sought to keep the information requested to the minimum. We have, at the request of the Department for Education, asked a small number of additional questions relating to the impact of the new Code which came into force on 1 September 2021.
3. The new Code also changes the period to be covered by reports to the adjudicator and the deadline for submitting reports to the adjudicator. **This year's report must cover the 2021/2022 academic year and be submitted to the Office of the Schools Adjudicator by 31 October 2022.**

Guidance on completing the template

4. In a departure from previous practice, we have included all the guidance on completing specific parts of the template in this section. We hope that this will be helpful. This is in response to feedback that including guidance and definitions in the body of the template could make the report harder for readers to follow and less accessible. There is no requirement for local authorities to include the introduction and the guidance in their published reports, but they are free to do so if they wish.
5. We should be grateful if in completing questions which ask for information about primary and secondary schools and/or pupils, local authorities would follow the approach to classification of schools used in statutory provisions and in the Department for Education Statistical First Release¹ and the Education Middle School (England) Regulations 2002².
6. Guidance on specific questions and/or meaning of specific terms in this report:
 - a. "in-year admissions": This means admission at the start of any school year to a year group which is not a normal point of entry for the school concerned (for example at the beginning of Year 2 for a five to eleven

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

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

primary school) **and** admission during the course of any school year after the end of the statutory waiting list period (31 December) in normal years of admission.

b. Not applicable means at questions:

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

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

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

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

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

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

7. We welcome all comments that local authorities make in the comment boxes and we aim to reflect those comments in the Annual Report, but we ask for the comments to be entered under the right headings. Section 3 invites comment on any other matters not specifically addressed in this template if local authorities wish to do so. The views expressed in previous years also remain a matter of public record.
8. We ask that where possible, you return the template in Word instead of PDF formatting. A number of you have commented on the formatting of the template and we have tried to make it as accessible as possible, but we are aware that some local authorities use different versions of Word.

Information requested

Section 1 - Normal point of admission

A. Co-ordination

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

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

The Pan London co-ordinated process continues to work well and is successful in achieving its aims of eliminating multiple offers, simplifying the application process, and increasing the number of pupils who receive an offer from one of their preferred schools.

The operation of national offer days for both primary/junior and secondary admissions provide significant benefits for applicants who wish to apply for local and out of borough schools, by providing a clear, streamlined approach for the application process and reducing the stress and anxiety of having to wait for results from different local authorities issued on different dates.

The Pan London co-ordinated process also provides an efficient way for local authorities to release and offer places in a timely manner following national offer day, encouraging local authorities to work collaboratively across borough boundaries to track pupils effectively through shared robust business processes.

Each year there tends to be a small number of primary and secondary schools that don't submit their ranking list within the agreed date. This places an unnecessary burden on officers having to chase own admission authority schools for lists and also increased pressure in ensuring that rankings are entered before the iterative process begins. In some cases, there were also small inaccuracies in ranking by schools that are their own admission authority, but these were quickly resolved with intervention from the LA following our compliance checks.

B. Looked after and previously looked after children

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

Not at all Not well Well Very well Not applicable

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

Not at all Not well Well Very well Not applicable

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

Not at all Not well Well Very well Not applicable

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

Not at all Not well Well Very well Not applicable

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

Yes No Not applicable

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

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

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

Highest priority is given to looked after and previously looked after children in the admission arrangements for all maintained schools and academies in the area. These children are typically offered their highest preference at normal points of admission. In a very small number of cases, some may be disadvantaged because faith schools can give priority to children of the faith above looked-after and

previously looked after children not of the faith. The Code should be revised to ensure that more looked-after and previously looked after children are able to access 'Good or 'Outstanding' faith schools.

We continue to encounter some difficulties with collecting information relating to the status of previously looked after children. Where a child is previously looked after we ask for a copy of the adoption, child arrangements or special guardianship order and documents or a letter showing that the child was previously in care. We do make parents aware that it is their responsibility to provide the necessary evidence and we do provide help and support, wherever possible, for example, by explaining what kind of evidence may be acceptable and where the parent might be able to find it. In some cases, parent/carers do not have access to documentary evidence, or the relevant local authority no longer retain any record of the child's previously looked after status.

In relation to priority admission for children adopted from state care outside of England, the guidance published by the DfE in July 2021 has been helpful in understanding what evidence may be accepted for the purpose of determining eligibility. The total number of applications received under this criterion for normal points of admission has been very small – 2 applications.

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:

Where children with an Education Health and Care Plan names the school, we will work with SEN colleagues to ensure that the child is admitted in line with the requirements of the Code at paragraph 1.6.

Parent/carers of children who have disabilities and/or special educational needs who do not have an education health and care plan may apply for admission under the social/medical criterion. Parent/carers are asked to submit written professional evidence to confirm that there is an exceptional medical or social need and that the specified school is the only school that can meet the defined needs of the child. A panel of officers meet to determine whether the evidence provided is sufficiently compelling to meet the above requirements.

Section 2 - In-year admissions

A. Effect of Code changes on in-year admissions

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

Co-ordination of in-year admissions would be improved significantly if it were mandatory for LAs to be responsible for full co-ordination across **all** schools. This is still not a requirement set out in the new Code. Whilst we have tried to minimise any confusion and frustration for parents choosing to apply for places at schools who have opted out of in-year co-ordination, it still proves confusing due to the different application processes.

Whilst only a small number of schools for which the Local authority is not the admission authority have decided not to participate in in-year co-ordination, it is still difficult for the LA to determine whether these schools are fulfilling their safeguarding and other duties of notifying the LA of any unplaced children who have been refused a place.

Frequently the LA does not have sight of any unlawful practise taking place, however, there is anecdotal evidence to suggest 'cherry picking' and parents not being informed of the reasons for refusal or their right of appeal. In the small number of instances where we have become aware that this has happened, we have challenged schools and pointed to the relevant part of the Code and advised families of their right of appeal. However, we believe that a centrally co-ordinated in-year process would significantly improve process and equity for families.

The changes to the Code clarify admission authority responsibilities in relation to managing the in-year admission and Fair Access Protocol (FAP) processes. Some of the changes in the new Code, such as the requirement for own admission authority schools that administer their own in-year admissions to swiftly process in-year applications received directly by the LA has been very welcome and has made it easier for some parents to secure a place more quickly. Previously an Academy Trust in Haringey refused to process an application submitted to the LA for schools in the area. There was an unfair expectation on parents to approach the schools directly to request an application form, causing unnecessary drift and delay.

Further clarity on the definition of 'challenging behaviour' for the purposes of refusing admission has also been welcome as part of the changes to the Code. There has always been a high threshold for refusing admission when a place is available as the test set out in the legislation is whether admission of a child would prejudice the efficient provision of education or use of resources. The detailed definition of 'challenging behaviour' has introduced a clearer threshold for admission authorities and has enabled us to provide pushback to schools wishing to refuse admission on this basis.

Having said that, the changes to the new Code don't go far enough to eradicate all of the issue above related to cherry picking which only full central co-ordination can resolve.

B. Looked after children and previously looked after children

- i. How does the **in-year admission** system serve children who are looked after by your local authority and who are being educated in your area?

Not at all Not well Well Very well Not applicable

- ii. How do the **in-year admission** systems in other local authority areas serve the interests of your looked after children?

Not at all Not well Well Very well Not applicable

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

Not at all Not well Well Very well Not applicable

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

Not at all Not well Well Very well Not applicable

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

Highest priority is given to looked after and previously looked after children in the admission arrangements for all maintained schools and academies in the area. Where an in-year application is received for a looked after child who is out of school and the school is full, we will ask the school to go over their planned admission number.

We will always try to meet the first preference for looked after and previously looked after children, to ensure the best possible outcomes, even if this means occasionally asking a primary school to exceed 30 pupils in an infant class which is permitted for under para. 2.16 of the Code 'excepted' pupils.

In a very small number of cases placing a looked after or previously looked after child in some secondary year groups (mainly years 10 or 11) has been more challenging as a result of the shortage of school places across the borough and the complexities associated with integrating these children at such a late stage in KS4.

The change to the Code allowing an LA to refer previously looked after children through fair access has been a welcome addition. The change sets out that previously looked after children are a vulnerable group that can now be referred via fair access, however, efforts should still be made to secure a school place quickly through the usual in-year process. Overall, this has been our experience

as in the vast majority of cases, use of our fair access protocol has been unnecessary for a previously looked after child. We have been able to secure a school place promptly through the usual in-year process and schools have co-operated with this, however, it is always helpful to have the option of referral to fair access, if needed.

The needs of our looked after and previously looked after children are paramount and we do successfully manage to place them into an appropriate school or alternative provision. Furthermore, we have not had to use our powers to direct a school to admit a looked after or previously looked after child as our schools have always co-operated in admitting without delay.

We have, however, experienced some difficulties in placing Haringey looked after children in other local authority areas, where there is delay and drift in places being offered. In some cases, this is related to children that require an alternative provision or a place in a PRU due to the lack of provision in their home authority. Some Local Authorities have told us that they do not have a suitable provision for Haringey looked after children living in their area. These cases are escalated to senior management and the issues tend to be resolved successfully following negotiations with the relevant local authority.

C. Children with special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who have an education, health and care plan that names a school when they need to be **admitted in-year**?

Not at all well Not well Well Very well Not applicable

- ii. How well served are children with special educational needs and/or disabilities who do not have an education, health and care plan when they need to be **admitted in-year**?

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

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

Where children with an Education Health and Care Plan (EHCP) names the school, we will work with SEN colleagues to ensure that the child is admitted in line with the requirements of the Code at paragraph 1.6.

Parent/carers of children who have disabilities and/or special educational needs who do not have an Education Health and Care Plan may apply for admission under the social/medical criterion. Parent/carers are asked to submit written professional evidence to confirm that there is an exceptional medical or social need and that the specified school is the only school that can meet the defined

needs of the child. A panel of officers meet to determine whether the evidence provided is sufficiently compelling to meet the requirements.

The admission of children without an EHCP to school also falls within the scope of our in-year fair access protocol. These children can be referred to the in-year fair access panel for allocation and take precedence over those on any waiting list. We have found that referral to fair access tends to be necessary in these types of cases for children arriving from overseas without an EHCP. Some schools refuse to admit arguing that they are not able to support needs due to limitations in funding or the children have such a high level of need that is better catered for in a special school. This is usually resolved at fair access where we are able to invite SEND representation from the LA and support can be offered to ensure schools are equipped to cater for need within mainstream settings whilst an EHCP is progressed.

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

N/A

D. Fair access protocol

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

Yes for primary

Yes for secondary

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

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

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
Community and voluntary	0	47

controlled		
Foundation, voluntary aided and academies	4	127
Total	4	174

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

Not at all well Not well Well Very well Not applicable

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

Overall, the application of the Fair Access Protocol has been very successful in ensuring that pupils without a school place are placed quickly. Our mechanisms for implementing our FAP have once again proved effective this year, both at primary and secondary phase.

The changes in the Code has had very little impact on the operation of our FAP since it has always worked very well, and we continue to have buy-in from all our schools. We have, however, seen a small increase in the number of children we are able to place in-year without referral to fair access as the Code is now clearer that eligibility for the Fair Access Protocol does not limit a parent's right to make an in-year application to any school for their child and admission authorities should not refuse to admit on the basis that they may be eligible to be placed via fair access. In some cases, schools agree to admit these children in advance with ratification at panel.

It is very rare for Haringey schools to refuse admission for pupils allocated a school place through the fair access protocol. In the one or two cases this has happened, we have sought a local resolution and where necessary met with the headteacher of the school concerned to set out the provisions of the protocol, to illustrate the transparency and equity with which these young people are shared across all schools, and to work with the school concerned to secure admission.

We monitor the length of time it takes to admit pupils and where there is delay, for whatever reason, we ask a representative from the relevant school to provide an update at the next fair access meeting. The sharing of proportional data with headteachers has ensured the process is seen to be fair and open to scrutiny and challenge by peers.

We have also established a process by which new admissions to Haringey in Key Stage 4 (or KS3 if likely to be referred to AP) are invited to the Haringey Learning Partnership for a 3-day assessment process before being referred to fair access. The assessment helps to determine whether these pupils could be successful in a

mainstream school or within provisions offered as part of Haringey Learning Partnership or in other alternative provision commissioned by the LA.

The LA has continued to commission alternative provision for some Year 10 and 11 learners with most accessing provision at the Haringey Learning Partnership. A number of schools have also enabled Year 11 students who are new to the borough to join in Year 10 as it was determined that this was in the best educational interests of the child.

E. Directions

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

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

F. If you wish, please provide any other comments on the admission of children **in-year** not previously raised:

N/A

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?

Section 4 - Feedback

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

Thank you for completing this template.

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