



Office of  
the Schools  
Adjudicator

**Local Authority Report**

to

**The Schools Adjudicator**

from

**Sheffield 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 Release<sup>1</sup> and the Education Middle School (England) Regulations 2002<sup>2</sup>.
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

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

<sup>2</sup> [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: All statutory deadlines were met for allocation to the normal year of entry. We also successfully co-ordinated admissions for Y12 for external applicants to our Sixth Form schools.

#### 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**:

All schools and Academies locally prioritise the admission of LAC and previous LAC in their Admissions criteria including those from abroad. We work closely with our Virtual school with regard to applications for Sheffield LAC and also have a single point of contact for LAC from outside the Authority so that applications can be processed quickly. This means that LAC and Previously LAC are always accommodated at the preferred school of the Carer.

### **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:

We always work closely with colleagues in SEND who oversee admission applications on behalf of children with an EHCP. SEND regularly share information on allocated schools, whether mainstream or Special with the Admissions Team. We in turn share this information with the School Adaptations Team. This provides time to liaise with the school and to implement any plans, equipment and training ahead of the start of the school year.

## **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?

We welcome the changes to the Code from September 2021 around in-year admissions. Sheffield co-ordinates admissions for in-year applications and the requirement to provide a decision within 15 school days has enabled us process applications for children not on a school roll more quickly. We informed schools of the statutory time frame and this has led to decisions being communicated back to the Authority more quickly. Schools have expressed some concerns but do largely comply. We have Key Performance Indicators embedded to constantly check how we are performing against the 15 day time limit, this also provides us with an evidence base to challenge any schools that are not complying.

It is also helpful to have a definition of what constitutes "Challenging Behaviour" in context of paragraph 3.10 of the Code. The definition sets a very high threshold and is helpful for us to share with schools when challenging a refusal made for this reason.

### **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:

The Fair Access Protocol specifically states that there is an expectation that an application for a LAC or previous LAC will normally be accommodated at the preferred school. We would of course listen to any concerns or representations made by any school but the expectation is clear.

### 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:

This is not a straight forward question to answer. Children with special needs but without an EHCP would cover a wide range of need from low level SEN to requiring formal support in school. We would expect that all our mainstream schools make provision for children in these circumstances in accordance with the Code of Practice. Admission oversubscription criteria do not take into account special educational needs when there is no EHCP so normal admission rules are applied as with any other child. For any child with a disability but no EHCP the school would have access to the School Adaptations Team to provide suitable equipment if required.

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

In-year admissions are well managed. There is more pressure at specific times of year such as August and September when numbers grow significantly. This is a time when we receive a high volume of new to City applications. There are many pressures on schools at present to admit children over number, for example to accommodate Ukrainian, Hong Kong and Afghan children in addition to the day to day admissions.

Sheffield continues to coordinate in-year admissions and it is considered to have a significant positive impact on safeguarding. Without co-ordination some children may be lost in the system. Furthermore, without the Authority co-ordinating admissions it would be difficult to monitor the 15 day rule. There has been talk of making in-year co-ordination compulsory again which I think would be a hugely significant development.

**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 controlled	5	7
Foundation, voluntary aided and academies	13	185
Total	18	192

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:

Since the introduction of the new Code we have introduced a panel for considering Fair Access cases whereas previously such cases were pursued by individual Officers. The Panel is proving to be much more effective for hard to place cases with much less resistance from schools to placements that are made by a multi-agency panel, including Headteachers. We do now have a clear route for escalation including to the Secretary of State which we did successfully for one case last year.

The secondary numbers placed under FAP are high because they include 111 Y11 placements which the LA allocate equitably across schools in order to ensure that no one school receives a disproportionately high number. This is in agreement with Headteachers and has been in place for 6 years.

**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
1		1

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

There is an expectation within the Fair Access Protocol that Looked After and Previously Looked After children will be prioritised for in-year admission and most are accommodated quickly, there can however be delays for children with EHCP or complex behavioural difficulties especially when approaching schools that are their own admission authority.

Schools often require all educational background information so they can make a decision whether to refuse on Challenging Behaviour grounds. This is effectively a form of selection and something that we do have constant challenges with.

### **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?

Prior to the pandemic there was talk to further amendments to legislation and the Code of Practice to provide better clarity with regard to the rights of parents to delay the admission of summer born children until they reach compulsory school age (chronological Y1) Local Authorities are at the moment having to advise based on the existing guidance whereby parents can request a delay if supported by professional advice but a Government expectation that such requests will routinely be approved.

We are now starting to see significant numbers of children transferring to secondary school in these circumstances since the minister announced his intention in 2015.

Is there any indication of when legislation or the Code will be changed to make delayed admission of summer born children an absolute right?

### **Section 4 - Feedback**

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

I found the template easy to navigate and more concise than previous versions thank you.

Thank you for completing this template.

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